



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT
AGENDA PACKET**

For the Meeting of Wednesday
July 16, 2014

7:00 P.M. Regular Meeting/Public Hearing

District Office
1800 Willow Lake Road



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

**NOTICE OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday July 16, 2014
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

1. Call business meeting to order 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

During Public Comments, the public may address the Board on any issue within the District's jurisdiction which is not on the agenda. The public may comment on any item on the Agenda at the time that item is before the Board for consideration. Any person wishing to speak must come up and speak from the podium. There will be no dialog between the Board and the commenter. Any clarifying questions from the Board must go through the Chair.

C. PRESENTATIONS

D. PRESIDENT REPORT AND DIRECTORS' COMMENTS

E. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approval of DRAFT minutes of special meeting dated July 2, 2014
2. Approval of DRAFT minutes of regular meeting dated July 2, 2014
3. Approve Register of District Invoices

F. PUBLIC HEARING to Consider the Following

1. Town of Discovery Bay Ravenswood Landscape Zone #9, Park, Lighting and Open Space Improvements District Assessments Report for the Fiscal Year 2014-2015; continue Collection of Assessments on County Tax Roll and adoption of Resolution No. 2014-16

G. BUSINESS AND ACTION ITEMS

1. Review "DRAFT" FY 2014-15 Town of Discovery Bay Community Services District Capacity Fee Program
2. Announcement of Special District Vacancy on LAFCO, Call for Nominations and for Names of Voting Delegates – Election July 21, 2014
3. Award of Contract to Du-ALL Safety, LLC in the amount of \$36,000.00 to provide safety support services and staff training for the period July 1, 2014 to June 30, 2015

H. INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)

I. VEOLIA REPORT

1. Veolia Report – Month of June 2014

J. MANAGER'S REPORTS – Discussion and Possible Action

K. GENERAL MANAGER'S REPORT – Discussion and Possible Action

1. State Water Resources Control Board Proposed Emergency Water Conservation Regulations

L. DISTRICT LEGAL COUNSEL REPORT

M. COMMITTEE UPDATES – Discussion and Possible Action

N. CORRESPONDENCE – Discussion and Possible Action

1. R – Contra Costa County Aviation Advisory Committee meeting minutes dated April 10, 2014
2. R – East Contra Costa County Fire Protection District meeting minutes dated June 2, 2014
3. R – Contra Costa County Aviation Advisory Committee meeting minutes dated June 12, 2014
4. R – Byron Municipal Advisory Council meeting minutes dated June 19, 2014

O. PUBLIC RECORD REQUESTS RECEIVED

P. FUTURE AGENDA ITEMS

Q. ADJOURNMENT

1. Adjourn to the next Regular meeting dated August 6, 2014 starting at 7:00 p.m. on 1800 Willow Lake Road-Located behind the Delta Community Presbyterian Church.

"This agenda shall be made available upon request in alternative formats to persons with a disability, as required by the American with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact the Town of Discovery Bay, at (925)634-1131, during regular business hours, at least twenty-four hours prior to the time of the meeting."

"Materials related to an item on the Agenda submitted to the Town of Discovery Bay CSD after distribution of the agenda packet are available for public inspection in the District Office located at 1800 Willow Lake Road during normal business hours."



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

No Back Up
Documentation
For Agenda Item C



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



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No Back Up
Documentation
For Agenda Item D



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

**MINUTES OF A SPECIAL MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY CSD
Wednesday July 2, 2014
1800 Willow Lake Road, Discovery Bay, California
SPECIAL MEETING 6:30 P.M.
Website address: www.todb.ca.gov**

SPECIAL MEETING AT 6:30 P.M.

A. ROLL CALL

Call business meeting to order – 6:30 p.m. by President Simon
Roll Call – All Present with the exception of Vice-President Steele
Vice-President Steele – Arrived at 6:40 p.m.

B. PUBLIC COMMENT

None

C. OPEN SESSION DISCLOSURE OF CLOSED SESSION AGENDA

(Government Code Section 54957.7)

Legal Counsel Attebery – The Board is now adjourning into closed session regarding item D-1.

D. CLOSED SESSION:

1. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One Case

E. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION

(Government Code Section 54957.1)

Legal Counsel Attebery – The Board has reconvened from closed session and there is no reportable action.

F. ADJOURNMENT

The meeting adjourned at 7:00 p.m. to the Regular Meeting on July 2, 2014 at 7:00 p.m. on 1800 Willow Lake Road.

//cmc – 07.07.14

<http://www.todb.ca.gov/content/agenda-and-minutes/>



TOWN OF DISCOVERY BAY

A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY
Wednesday July 2, 2014
REGULAR MEETING 7:00 P.M.
1800 Willow Lake Road, Discovery Bay, California
Website address: www.todb.ca.gov**

REGULAR MEETING 7:00 P.M.

A. ROLL CALL AND PLEDGE OF ALLEGIANCE

Call business meeting to order – 7:00 p.m. by President Simon
Pledge of Allegiance – Led by Vice-President Steele
Roll Call – All Present

B. PUBLIC COMMENTS (Individual Public Comments will be limited to a 3-minute time limit)

None

C. AREA AGENCIES REPORTS / PRESENTATION

1 Sheriff's Office Report

Crime Prevention Specialist Fontenot – Provided the law enforcement report for the month of June. There was discussion between the Crime Prevention Specialist, the General Manager, and the Board.

2. CHP Report – No Report

3. East Contra Costa Fire Protection District Report – No Report

4. Supervisor Mary Piepho, District III Report – No Report

D. COMMITTEE/LIAISON REPORTS

1. Trans-Plan Report – No Report

2. County Planning Commission Report – No Report

3. Code Enforcement Report – No Report

4. Special Districts Report - No Report**

****These meetings are held Quarterly**

E. PRESENTATIONS

None

F. CONSENT CALENDAR

All matters listed under the CONSENT CALENDAR are considered by the District to be routine and will be enacted by one motion.

1. Approval of DRAFT minutes of special meeting dated June 11, 2014

2. Approval of DRAFT minutes of regular meeting dated June 18, 2014

3. Approve Register of District Invoices

4. District Engineer Services Agreement between the Town of Discovery Bay and HERWIT Engineering

5. Rescind Resolution No. 2014-10 and Adopt Resolution No. 2014-15 Ordering Even-Year Board of Directors Election; Consolidation of Elections; and Specifications of the Election Order

6. Approve and Accept the contract work performed by Bockmon & Woody Electric Co., Inc., for the Electrical Installation for Solar Dryers C & D Project and direct Staff to record "Notice of Completion" with the Contra Costa County Recorder's Office

Motion by: Director Pease to approve the Consent Calendar

Second by: Director Wiesen

Vote: Motion Carried – AYES: 5, NOES: 0

G. BUSINESS AND ACTION ITEMS

- 1. Annual Intention to Levy and Collect Annual Assessment for the Ravenswood Improvement District – DB Lighting and Landscape Zone 9 for the Fiscal Year 2014-2015, Accept Engineer’s Report and Adopt Resolution No. 2014-14**

General Manager Howard – Provided details of item G-1.

Motion by: Director Graves to accept Engineer’s Report and Adopt Resolution No. 2014-14 authorizing the Intent to Levy and Collection of Annual Assessments for the Ravenswood Improvement District – DB Lighting and Landscape Zone 9 for the Fiscal Year 2014-2015

Second by: Director Pease

Vote: Motion Carried – AYES: 5, NOES: 0

- 2. Announcement of Special District Vacancy on LAFCO, Call for Nominations and for Names of Voting Delegates – Election July 21, 2014**

General Manager Howard – Provided details of item G-2. There was discussion between the General Manager and the Board. The Board requested that Director Pease represent for the vote on behalf of the District. The Board also requested item G-2 be brought back to the July 16, 2014 Board meeting to review the delegates.

- 3. Consideration and Approval of Overnight camping request for “Discovery Bay River Otters Swim Team Overnight Party” event at the Discovery Bay Community Center on July 19th thru July 20th, 2014**

General Manager Howard – Provided details of item G-3.

Recreation Programs Coordinator - Provided additional information on item G-3. There was discussion between the General Manager, the Recreation Programs Coordinator, and the Board.

Motion by: Director Pease to authorize Overnight Camping for the “Discovery Bay River Otters Swim Team Overnight Party” at the Discovery Bay Community Center on Saturday evening July 19th thru Sunday morning July 20th, 2014, and subject to the Conditions contained herein.

Second by: Director Wiesen

Vote: Motion Carried – AYES: 5, NOES: 0

H. INFORMATIONAL ITEMS ONLY (NO ACTION NECESSARY)

None

I. PRESIDENT REPORT AND DIRECTORS’ COMMENTS

None

J. MANAGER’S REPORT – Discussion and Possible Action

None

K. GENERAL MANAGER’S REPORT – Discussion and Possible Action

- 1. Discussion of Illegal Advertising Signs**

General Manager Howard – Provided details of item K-1. There was discussion between the General Manager, Legal Counsel, and the Board. The Board took no action and tabled the item.

L. DISTRICT LEGAL COUNSEL REPORT

None

M. COMMITTEE UPDATES – Discussion and Possible Action

None

N. CORRESPONDENCE – Discussion and Possible Action

None

O. PUBLIC RECORD REQUESTS RECEIVED

None

P. FUTURE AGENDA ITEMS

None

Q. ADJOURNMENT

The meeting adjourned at 7:44 p.m. to the next regular meeting dated July 16, 2014 starting at 7:00 p.m. on 1800 Willow Lake Road.

//cmc – 07.07.14

<http://www.todb.ca.gov/content/agenda-and-minutes/>



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Dina Breitstein, Finance Manager & Lesley Marable, Sr. Accounts Clerk
Submitted By: Rick Howard, General Manager

RH

Agenda Title

Approve Register of District Invoices

Recommended Action

Staff recommends that the Board approve the listed invoices for payment

Executive Summary

District invoices are paid on a regular basis, and must obtain Board authorization prior to payment. Staff recommends Board authorization in order that the District can continue to pay warrants in a timely manner.

Fiscal Impact:

Amount Requested \$ 361,797.97

Sufficient Budgeted Funds Available?: Yes (If no, see attached fiscal analysis)

Prog/Fund # See listing of invoices. **Category:** Operating Expenses and Capital Improvements

Previous Relevant Board Actions for This Item

Attachments

Request For Authorization to Pay Invoices for the Town of Discovery Bay CSD 2014/2015
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 8 2014/2015
Request For Authorization to Pay Invoices for the Discovery Bay Lighting & Landscape District # 9 2014/2015

AGENDA ITEM: E-3

**Request For Authorization To Pay Invoices (RFA)
For The Meeting On July 16, 2014
Town of Discovery Bay CSD
For Fiscal Year's 7/14 - 6/15**

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Administration				
Brut Force Janitorial	7/2014	Janitorial Service July 2014 (Z57,Z61)	07/03/14	\$50.00
County Clerk - CCC	3	NOE for Ravenswood	07/16/14	\$50.00
Cresco Equipment Rentals	3624219-001	Equipment Rental Tree Trimming (Z57,Z61)	06/26/14	\$966.34
		Administration	Sub-Total	\$1,066.34
Water				
Big Dog Computer	BDC33037	Update Security Profile	06/27/14	\$71.98
Big Dog Computer	BDC33038	Diva Outage and Monthly Security Updates	07/03/14	\$113.00
Big Dog Computer	BDC33040	Monthly GOTO June, July 2014	07/07/14	\$71.20
Brentwood Ace Hardware	808/063014	Equipment Maintenance	06/30/14	\$26.32
Brut Force Janitorial	7/2014	Janitorial Service July 2014	07/03/14	\$80.00
Caselle, Inc.	57947	Support and Maintenance July 2014	06/01/14	\$444.00
Caselle, Inc.	58616	Support and Maintenance Aug 2014	07/01/14	\$444.00
Cintas	185474103	Uniforms	07/01/14	\$17.40
Cintas	185474905	Uniforms	07/08/14	\$17.40
Contra Costa County Auditor-Controller	1415-245	LAFCO 2014-2015	06/09/14	\$1,276.50
Cresco Equipment Rentals	3624219-001	Equipment Rental Tree Trimming	06/26/14	\$989.88
Delta Fence Company, Inc.	25143	Levee Gate Repair	06/23/14	\$467.00
Denalect Alarm Company	R8534	Quarterly Alarm Charge	07/01/14	\$44.40
EnerPower	35443	Electric Charges 05/01/14-06/10/14	06/30/14	\$641.00
EnerPower	65442	Electric Charges 05/01/14-05/13/14	06/30/14	\$55.00
EnerPower	65445	Electric Charges 05/01/14-06/13/14	06/30/14	\$3,467.00
Fairin Perez	1	Education and Training	07/09/14	\$180.00
Ferguson Waterworks	0726383-1	Firefly's with Nicor Connection	06/25/14	\$911.40
J.W. Backhoe & Construction, Inc.	2128	Water Leak Schooner Loop	06/23/14	\$2,135.25
J.W. Backhoe & Construction, Inc.	2129	Water Leak Riverlake Road	06/23/14	\$1,864.70
J.W. Backhoe & Construction, Inc.	2130	Paved Santa Cruz Ct and Beaver Ct	06/23/14	\$5,351.77
J.W. Backhoe & Construction, Inc.	2131	Install Copper Services on Santa Cruz Ct	06/23/14	\$5,575.80
J.W. Backhoe & Construction, Inc.	2133	Hauled Cutback to Plant#1	06/28/14	\$1,177.15
J.W. Backhoe & Construction, Inc.	2134	Water Leak on Cutter Loop	06/28/14	\$5,023.65
J.W. Backhoe & Construction, Inc.	2135	Raised G5 Box Plant#1	06/28/14	\$1,653.90
J.W. Backhoe & Construction, Inc.	2136	Water Leak on Beaver Lane	06/28/14	\$6,385.80
J.W. Backhoe & Construction, Inc.	2137	Two Leaks at Plant #1	06/28/14	\$2,138.68
J.W. Backhoe & Construction, Inc.	2138	Water Leak on Windward Point	06/28/14	\$2,096.85
J.W. Backhoe & Construction, Inc.	2139	Water Leak on Firwood Ct and Discovery Bay Blvd	06/28/14	\$5,037.90
J.W. Backhoe & Construction, Inc.	2140	Water Leak on Willow Lake Court	06/28/14	\$3,892.55
J.W. Backhoe & Construction, Inc.	2141	Water Leak on Beaver Court	06/28/14	\$4,308.35
J.W. Backhoe & Construction, Inc.	2142	Water Leak on Discovery Bay Blvd	06/28/14	\$6,236.06
J.W. Backhoe & Construction, Inc.	2143	Concrete Around Meter Box Willow Lake Ct	06/30/14	\$375.55
J.W. Backhoe & Construction, Inc.	2144	Concrete Around Meter Box Santa Cruz Ct	06/30/14	\$479.25
J.W. Backhoe & Construction, Inc.	2145	Paved Discovery Bay Blvd & Beaver Lane	06/30/14	\$5,696.69
J.W. Backhoe & Construction, Inc.	2146	Water Leak Double Point	06/30/14	\$3,156.08
John & Vanessa Lamb	707 BLAKE CT	Closed Account, Refund Overpayment	07/01/14	\$11.34
Luhdorff & Scalmanini	29798	Well Testing & Water Quality	05/25/14	\$1,513.60
Neumiller & Beardslee	263022	Newport Pointe	06/13/14	\$599.50
Neumiller & Beardslee	263203	Services through 05/31/14	06/26/14	\$1,829.00
Paul E. Vaz Trucking, Inc.	30632	Material 06/16/14	06/20/14	\$457.00
Paul E. Vaz Trucking, Inc.	30633	Freight 06/16/14	06/20/14	\$534.38
ReliaStar Life Insurance Company	#JR52 457(B) 071514	457(b) 07/01/15-07/15/14	07/08/14	\$435.77
Ricoh USA, Inc	5031265513	Photocopier June 2014	06/20/14	\$153.61
SDRMA	15037	Ancillary Benefits July 2014	06/26/14	\$509.13
SDRMA	15108	Medical Benefits Aug 2014	07/03/14	\$1,484.71
SDRMA	46911	Property/Liability Insurance 2014-2015	05/20/14	\$25,820.65
SDRMA	47409	Workers' Compensation Insurance	05/30/14	\$21,047.00
Shred-It USA-Concord	9403834269	Monthly Shredding Service 06/26/14	06/26/14	\$23.97
Univar	SJ624611	Chemicals Delivered 06/18/14	06/18/14	\$317.91
Univar	SJ624613	Chemicals Delivered 06/18/14	06/18/14	\$186.64
Univar	SJ625755	Chemicals Delivered 06/24/14	06/24/14	\$246.12
Univar	SJ625759	Chemicals Delivered 06/24/14	06/24/14	\$196.90
Univar	SJ627090	Chemicals Delivered 06/30/14	06/30/14	\$172.28
Univar	SJ627092	Chemicals Delivered 06/30/14	06/30/14	\$254.32

Veolia Water North America	39186	Monthly O&M July 2014	07/01/14	\$39,493.70
Verizon Wireless	9727682856	Cell Phone Bill June 2014	06/26/14	\$152.29
Watersavers Irrigation Inc.	1467703-00	Misc. Items	06/20/14	\$27.34

Water	Sub-Total	\$164,370.62
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Wastewater

American Retrofit Systems	1013	AC Repair WWTP#1	07/01/14	\$305.00
Big Dog Computer	BDC33037	Update Security Profile	06/27/14	\$107.96
Big Dog Computer	BDC33038	Diva Outage and Monthly Security Updates	07/03/14	\$169.50
Big Dog Computer	BDC33040	Monthly GOTO June, July 2014	07/07/14	\$106.80
Brentwood Ace Hardware	808/063014	Building Repairs	06/30/14	\$93.40
Brut Force Janitorial	7/2014	Janitorial Service July 2014	07/03/14	\$120.00
Caselle, Inc.	57947	Support and Maintenance July 2014	06/01/14	\$666.00
Caselle, Inc.	58616	Support and Maintenance Aug 2014	07/01/14	\$666.00
Cintas	185474103	Uniforms	07/01/14	\$26.11
Cintas	185474905	Uniforms	07/08/14	\$26.11
Contra Costa County Auditor-Controller	1415-245	LAFCO 2014-2015	06/09/14	\$1,914.74
County Of Contra Costa, Dept of Info Tec	8908	Data Processing May 2014	06/25/14	\$44.00
Cresco Equipment Rentals	3624219-001	Equipment Rental Tree Trimming	06/26/14	\$1,484.82
CVCWA	073114AD72	Membership 2014-2015	07/01/14	\$1,875.00
Denalect Alarm Company	R8534	Quarterly Alarm Charge	07/01/14	\$66.60
EnerPower	65444	Electric Charges 05/01/14-06/11/14	06/30/14	\$228.00
Fairin Perez	1	Education and Training	07/09/14	\$270.00
Herwit Engineering	14-5	Professional Services May 2014	06/02/14	\$7,452.96
Herwit Engineering	14-6	Professional Services June 2014	07/01/14	\$7,927.36
Herwit Engineering	DB-MP-5,6,7-2	Secondary Effluent Equalization, Filters and Modifications	07/01/14	\$8,640.00
Herwit Engineering	DB-MP-5,6,7-1	Secondary Effluent Equalization, Filters and Modifications	06/03/14	\$6,320.00
Kirby's Pump & Mechanical, Inc.	3158	Pump Repair	06/13/14	\$9,523.24
Kleinfelder, Inc.	1017115	Inspection Service	06/26/14	\$3,358.75
Neumiller & Beardslee	263020	Hofmann v. TODB	06/13/14	\$537.50
Neumiller & Beardslee	263021	Pantages	06/13/14	\$599.50
Neumiller & Beardslee	263203	Services through 05/31/14	06/26/14	\$2,743.50
ReliaStar Life Insurance Company	#JR52 457(B) 071514	457(b) 07/01/15-07/15/14	07/08/14	\$653.65
Ricoh USA, Inc	5031265513	Photocopier June 2014	06/20/14	\$230.41
SDRMA	15037	Ancillary Benefits July 2014	06/26/14	\$763.68
SDRMA	15108	Medical Benefits Aug 2014	07/03/14	\$2,227.07
SDRMA	46911	Property/Liability Insurance 2014-2015	05/20/14	\$38,730.98
SDRMA	47409	Workers' Compensation Insurance	05/30/14	\$21,047.00
Shred-It USA-Concord	9403834269	Monthly Shredding Service 06/26/14	06/26/14	\$35.95
Veolia Water North America	39186	Monthly O&M July 2014	07/01/14	\$59,240.54
Verizon Wireless	9727682856	Cell Phone Bill June 2014	06/26/14	\$228.43

Wastewater	Sub-Total	\$178,430.56
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Community Center

Community Center	Sub-Total	\$0.00
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Grand Total	\$343,867.52
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Request For Authorization To Pay Invoices (RFA)
For The Meeting On July 16, 2014
Town of Discovery Bay, D.Bay L&L Park #8
For Fiscal Year's 7/14 - 6/15

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Big Dog Computer	BDC33039	Community Center-Memory Card for Camera	07/06/14	\$350.87
Brentwood Ace Hardware	808/063014	Misc. Small Tools	06/30/14	\$44.90
Brentwood Ace Hardware	808/063014	Landscape Maintenance	06/30/14	\$115.19
Brentwood Ace Hardware	808/063014	Community Center-Events	06/30/14	\$31.13
Brentwood Ace Hardware	808/063014	Community Center-Equipment Maintenance	06/30/14	\$22.79
Brentwood Ace Hardware	808/063014	Community Center-Building Repairs	06/30/14	\$110.23
Brut Force Janitorial	7/2014	Janitorial Service July 2014	07/03/14	\$365.00
Brut Force Janitorial	7A	Community Center-Janitorial Service July 2014	07/03/14	\$810.00
Cintas	185474103	Uniforms	07/01/14	\$15.56
Cintas	185474103	Community Center- Mats	07/01/14	\$30.99
Cintas	185474905	Uniforms	07/08/14	\$15.56
Cintas	185474905	Community Center-Mats	07/08/14	\$30.99
Cresco Equipment Rentals	3624219-001	Equipment Rental Tree Trimming	06/26/14	\$322.10
Discovery Bay Disposal	17-0001966/063014	Com 2 Yd Bin Cornell Park	06/30/14	\$292.37
Discovery Bay Disposal	17-0013218/063014	Community Center-Com 2 Yd Bin	06/30/14	\$400.80
Discovery Bay Studios	1251 ADJ	Community Center-Program Fees	06/24/14	\$768.00
Discovery Pest Control	123209	Community Center-Pest Control	06/25/14	\$79.00
Karina Dugand	7	Community Center-Program Fees	06/24/14	\$734.40
Karina Dugand	8	Community Center-Program Fees	06/27/14	\$249.60
Lincoln Equipment, Inc.	SI243121	Community Center-Pool Chemicals	06/30/14	\$479.00
Lovie Nioletti	1	Community Center-Class Cancelation	07/03/14	\$63.00
Marni Ferreira	1	Community Center-Class Cancelation	07/07/14	\$40.00
Nancy Roberts	3	Community Center-Program Fees	06/30/14	\$192.00
Office Depot	709158791001	Returned Office Supplies	06/20/14	-\$9.72
Office Depot	709158792001	Office Supplies	06/23/14	\$9.72
Office Depot	717579244001	Office Supplies	06/24/14	\$31.37
Office Depot	717579244001	Community Center-Office Supplies	06/24/14	\$62.75
Raymond Gibson	2	Community Center-Class Cancelation	07/03/14	\$165.00
SDRMA	46911	Property/Liability Insurance 2014-2015	05/20/14	\$1,700.00
SDRMA	46911	Community Center-Property/Liability Insurance 2014-2015	05/20/14	\$4,500.00
SDRMA	47650	Community Center-Swim Team Expense	07/01/14	\$100.00
Shred-It USA-Concord	9403834270	Shredding Service June 2014	06/26/14	\$29.87
Shred-It USA-Concord	9403834270	Community Center-Shredding Service June 2014	06/26/14	\$29.86
The School Of Etiquette And Decorum	1	Community Center-Program Fees	07/07/14	\$608.00
Verizon Wireless	9727682856	Cell Phone Bill June 2014	06/26/14	\$239.07
Verizon Wireless	9727682856	Community Center-Cell Phone Bill June 2014	06/26/14	\$119.53
Watersavers Irrigation Inc.	1463207-00	Diaphragm Weathermatic	06/04/14	\$17.30
Watersavers Irrigation Inc.	1467635-00	Community Center-Misc. Items	06/13/14	\$9.90
Watersavers Irrigation Inc.	1474419-00	Cornell Park	06/28/14	\$36.15
			Total	\$13,212.28

Request For Authorization To Pay Invoices (RFA)
For The Meeting On July 16, 2014
Town of Discovery Bay, D.Bay L&L Park #9 (Ravenswood)
For Fiscal Year's 7/14 - 6/15

<u>Vendor Name</u>	<u>Invoice Number</u>	<u>Description</u>	<u>Invoice Date</u>	<u>Amount</u>
Brentwood Ace Hardware	808/063014	Office Supplies	06/30/14	\$21.92
Brut Force Janitorial	07/2014	Janitorial Service July 2014	07/03/14	\$25.00
Cintas	185474103	Uniforms	07/01/14	\$15.56
Cintas	185474905	Uniforms	07/08/14	\$15.56
Odyssey Landscape Co, Inc.	36039698.1	Replanting	06/30/14	\$350.00
Odyssey Landscape Co, Inc.	36039698.2	Replanting	06/30/14	\$845.00
Odyssey Landscape Co, Inc.	36039698.3	Replanting	06/30/14	\$1,150.00
Office Depot	709001180001	Office Supplies	06/20/14	\$81.96
Office Depot	717579244001	Office Supplies	06/24/14	\$31.38
SDRMA	46911	Property/Liability Insurance 2014-2015	05/20/14	\$1,200.00
Shred-It USA-Concord	9403834270	Shredding Service June 2014	06/26/14	\$29.87
Town Of Discovery Bay CSD	315	NOE Ravenswood Reimbursement	07/07/14	\$50.00
Verizon Wireless	9727682856	Cell Phone Bill June 2014	06/26/14	\$239.06
Watersavers Irrigation Inc.	1474721-00	Misc. Repair Items	06/30/14	\$265.45
Watersavers Irrigation Inc.	1475086-00	Spray Nozzles	07/01/14	\$101.56
Williams Sanitary Service	26557	Ravenswood Toilet Rental	07/02/14	\$295.85
			Total	\$4,718.17



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Fairin Perez, Parks and Recreation Manager

Submitted By: Rick Howard, General Manager

Agenda Title

Public Hearing to Consider Town of Discovery Bay CSD Ravenswood Landscape Zone #9, Park, Lighting and Open Space Improvements District Assessments Report for the Fiscal Year 2014-2015; continue Collection of Assessments on County Tax Roll and adoption of Resolution No. 2014-16

Recommended Action

Approve and adopt Resolution 2014-16 Confirming the Engineers Report and Ordering the Levy and Collection of Charges for the Annual Assessments for Ravenswood Improvement District Assessments within the Town of Discovery Bay Community Services District for the Fiscal Year 2014-2015; continue Collection of Assessments on County Tax Roll for Ravenswood Landscape, Park, Lighting and Open Space Improvements District

Executive Summary

As part of the annual assessment process for the Ravenswood Improvement District; DB L&L Zone #9, the Board approved and adopted Resolution No. 2014-08 which directed HERWIT Engineering to prepare the 2014-15 assessment report. On July 2, 2014 the Board approved Resolution 2014-14 which adopted the Engineers Report submitted by HERWIT. In that report, it was determined that based on operating costs (as shown on the Adopted Operating and Capital Budget for Discovery Bay Lighting and Landscape Zone 9) the per parcel assessment shall be set at \$602.92 for FY 2014-15; with a maximum allowable assessment of \$602.92. The final assessment for the FY 2013-14 was \$563.94.

In order to levy and collect the annual assessment, the Board must approve and adopt the attached resolution. Adoption of Resolution 2014-16 imposes the assessment on real property within DB L&L #9 and also approves the filing of the attached Notice of Exemption.

Fiscal Impact:

Amount Requested -

Sufficient Budgeted Funds Available?: Yes

Zone # 9, 2479 Category: Operating

Previous Relevant Board Actions for This Item

Approval and adoption of Resolution 2014-08 on May 7, 2014; Directing HERWIT Engineering to prepare annual assessment for the Ravenswood Improvement District – DB L&L Zone #9

Approval and adoption of 2014-2015 Final Operating and Capital Improvement Budget for Discovery Bay Landscape and Lighting Zone #9, - June 18, 2014

Approval and adoption of Resolution 2014-14, Intention to Levy and Collect Annual Assessment for the Ravenswood Improvement District DB L&L #9 for the Fiscal Year 2013-14, July 2, 2014

Attachments

Resolution 2014-16, Confirming the Report and Ordering the Levy and Collection of Charges

Final Assessment Engineer's Report 2014-2015, DB L&L Zone #9

Notice of Exemption

AGENDA ITEM: F-1



**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

RESOLUTION 2014-16

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE TOWN OF DISCOVERY BAY,
A CALIFORNIA COMMUNITY SERVICES DISTRICT,
CONFIRMING THE REPORT AND ORDERING THE LEVY AND COLLECTION OF
CHARGES FOR THE ANNUAL ASSESSMENTS FOR RAVENSWOOD IMPROVEMENT DISTRICT
ASSESSMENTS WITHIN THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT FOR
THE FISCAL YEAR 2014-2015**

WHEREAS, all property owners in Ravenswood approved the formation of a landscaping, parks, lighting and open space assessment district pursuant to California Streets and Highways Code sections 22500 and following; and

WHEREAS, the formation of such district, and the levy of assessment on the real property therein was approved by the landowners in such district in accordance with California Constitution Article XIID (Proposition 218);

WHEREAS, the proposed assessments for the 2014-2015 fiscal year are within the limits approved by the landowners in accordance with Proposition 218;

WHEREAS, the assessments against the real property in each assessment area are not levied with regard to property values and these assessments are for the purpose of paying for the operation and maintenance of landscaping, parks, lighting and open space installed in such district; and

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. The above recitals are true and correct.
2. The report, diagram and assessment set forth in that report ("Report") prepared by HERWIT Engineers for the Ravenswood Improvement for fiscal year 2014-2015 is adopted and confirmed.
3. The \$602.92 assessment specified in the Report for the Ravenswood District, for fiscal year 2014-2015 is hereby imposed on the real property within such district for fiscal year 2014-2015.
4. The Board of Directors of the Town of Discovery Bay Community Services District orders the levy and collection of such assessments in accordance with California Streets and Highway Code sections 22645 and 22646.
5. The Secretary of the Board of Directors is authorized and directed to file the diagram and assessments, and any other necessary documents, with the Auditor-Controller of Contra Costa County in accordance with California Streets and Highway Code section 22641.
6. The President of the Board of Directors or the General Manager is authorized and directed to execute any documents necessary to carry out the intent of this Resolution.

7. The Secretary of the Board of Directors is authorized and directed to file a Notice of Exemption pursuant to Public Resources Code section 21080 (b)(8) and Title 14 California Code of Regulations section 15062.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JULY, 2014.

Mark Simon
Board President

I hereby certify that the foregoing Resolution was duly adopted by the Board of Directors of the Town of Discovery Bay Community Services District at a regularly scheduled meeting, held on July 16, 2014, by the following vote of the Board:

AYES:
NOES:
ABSENT:
ABSTAIN:

Richard J. Howard
Board Secretary

**FINAL ASSESSMENT ENGINEER'S
REPORT**

Prepared for the

**TOWN OF DISCOVERY BAY
COMMUNITY SERVICES DISTRICT**

**Landscaping, Park, Lighting and Open-Space
Improvements District DB L&L #9**

For Fiscal Year 2014-2015

**Prepared by
HERWIT Engineering**

**6200 Center Street, Suite 310
Clayton, California 94517
(925) 672-6599**

JULY 2014



Town of Discovery Bay Community Services District

Director and President

Mark Simon

Director and Vice President

Chris Steele

Director

Kevin Graves

Director

Bill Pease

Director

Marianne Wiesen

General Manager

Rick Howard

Water and Wastewater Manager

Virgil Koehne

Parks & Landscape Manager

Fairin Perez

District's Attorney

Neumiller & Beardslee

Assessment Engineer

HERWIT Engineering

Date: July 2014

**Assessment Engineers Report
For
Landscape, Park, Lighting and Open-Space District DB L&L #9, Zone #1
Subdivision 8710 (Ravenswood)**

Pursuant to Governmental Code 61710 and procedures of the Landscaping and Lighting District Act of 1972, the Town of Discovery Bay Community Services District (CSD) is responsible for the Landscape, Park, Lighting and Open-Space District DB L&L #9 submits this "Assessment Engineers Report" for the 2014-2015 year, which consists of five (5) parts as follows.

PART A. Plans and Specifications

This part describes the improvements in this District. The plans, drawings and specifications are on file in the Town of Discovery Bay CSD District Office. A listing of these documents and drawings are outlined in the original Assessment Engineers Report approved in 2006.

PART B. Estimate of Cost

This part contains an estimate of the cost of proposed improvements, including incidental costs and expenses in connection therewith, is as forth on the lists, which are on file in the Town of Discovery Bay CSD District office.

PART C. Method of Apportionment of Assessment

This part contains the method by which the undersigned engineering firm has determined the amount proposed to be assigned against each parcel, based upon parcel classification of land within this District, in proportion to the estimated benefits to be received. This listing is also on file in the Town of Discovery Bay CSD District office.

PART D. District Diagram of Assessment

This part by reference of a diagram shows the parcel lot numbers that are within this District.

PART E. Property Owner List & Assessment Roll

The listing of Assessed parcels and their owners are on file in the Town of Discovery Bay CSD District office.

Engineers Assessment Report for 2013-2014 year

During this time period the DB L&L #9, Zone #1 District financial report is as follows:

\$ 121,123 Annual assessments & investment revenue was received

\$ 130,763 Annual expenses grounds maintenance, capital improvements, and administrative expenses.

A copy of the income and expenses is attached to this report.

\$ 131,839 Fund total after 2013-2014 annual expenses.

Note: The expenses were higher for the 2013-2014 fiscal year than the previous fiscal year due to increases in maintenance and utility costs. The expenses for the 2013-2014 were greater than the assessment and revenue collected, resulting in an decrease in the District's reserve account.

Current Assessment

The 2013-2014 fiscal year assessment per parcel based on the engineer's formula defined in the Assessment Engineers Report adopted in 2006 is \$563.94 per parcel. This is greater than the initial year assessment as defined in the Assessment Engineers Report due to increases in maintenance and utility costs, and to rebuild the reserve account balance which had dropped significantly due to large capital improvement projects.

Inflation Adjustment to Maximum Assessment

The maximum assessment defined in the Assessment Engineers Report adopted in 2006 is \$501 per parcel based upon build out of the facilities and maintenance of the storm water basins. As specified in the Assessment Engineers Report, the maximum assessment is escalated annually by the consumer price index for San Francisco-Oakland-San Jose. At the time of preparation and adoption of the Assessment Engineers Report, the CPI index as published by the Bureau of Labor Statistics (BLS) for the Consolidated Metropolitan Statistical Area (CMSA) covering San Francisco – Oakland – San Jose reported for April 2006 was 208.9. The base year for the index is an average of 1982, 1983, and 1984 (hence 1982-1984=100). On April 2014, the same CPI index is reported as 251.4. Based upon the change in the CPI, the new maximum assessment allowed for the 2014-2015 fiscal year is \$602.92.

Calculation of Maximum Reserve Account Balance

As stated in the adopted Assessment Engineers Report, the total funds in the reserve account are limited to 200% of the total funds collected by the District's not to exceed annual assessment. The new maximum not to exceed annual assessment allowable for the 2014-2015 fiscal year is \$ 602.92. This assessment is equally assessed to 203 parcels for an annual total of \$122,392.76. Therefore, the maximum Reserve Account Balance is \$ 244,785.52. After the reserve account has accrued to the maximum amount, any money received by the District in excess of annual maintenance and administrative costs will be returned to the property owner in the form of a reduced assessment in the following fiscal year.

New Assessment for 2014-2015 Fiscal Year

The District will incur normal expenses for the maintenance of the landscape District this year. The District will also incur minimal charges for capital improvements construction projects this fiscal year. The estimated budget for 2014-2015 is \$ 118,488. This equates to \$ 583.68 per parcel for all 203 parcels, which is less than the maximum allowable assessment of \$ 602.92 per parcel, or \$ 122,392.76 maximum assessment.

Based on this report, the assessment for 2014-2015 tax year should be \$ 602.92 to begin rebuilding the balance in the reserve fund. The assessment for the 2014-2015 fiscal year is then \$ 602.92 per parcel applied equally to all 203 parcels as defined in the adopted Assessment Engineers Report.

NOTICE OF EXEMPTION

To: County Clerk
County of Contra Costa
555 Escobar Street
P.O. Box 350
Martinez, CA 94553

From: Town of Discovery Bay Community
Services District (CSD)
1800 Willow Lake Road
Discovery Bay, CA 94505

Project Title: Ravenswood Improvement District Annual Assessment

Project Location – Specific: Ravenswood Subdivision - Northwest quarter of Section 26, Township 1 North, Range 3 East, Mount Diablo Meridian as recorded in Book 458 of Maps, Pages 1-15, Contra Costa County Records.

Project Location – City: Town of Discovery Bay CSD **Project Location – County:** Contra Costa

Description of Nature, Purpose, and Beneficiaries of Project:

Levy of the annual assessment for fiscal year 2014-2015 for the landscaping, park, lighting and open space district, known as Ravenswood Improvement District - DB L&L Zone #9, for the purpose of providing for the operation and maintenance of landscaping, parks, street lights and open space installed in the subdivision.

Name of Public Agency Approving Project: Town of Discovery Bay CSD

Name of Person or Agency Carrying Out Project: Town of Discovery Bay CSD

Exempt Status: *(check one)*

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number:
- Statutory Exemptions. State code number: Public Resource Code § 21080(b)(8); California Code of Regulations § 15273

Reasons why project is exempt: The formation of the assessment district and the levy of assessments is not designed to increase services or expand a system, but if for the purpose of meeting operating expenses, purchasing supplies, equipment and materials, meeting financial reserve needs, and obtaining funds necessary for repair and replacement to maintain such services and systems for the Improvement District already determined to be installed pursuant to the various documents approving the Ravenswood subdivision.

Lead Agency

Contact Person: Rick Howard **Area Code/Telephone/Extension:** (925) 634-1131

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____

Date: 7/16/2014

Title: General Manager

- Signed by Lead Agency
- Signed by Applicant

Date received for filing at OPR:



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Review "Draft" FY 2014-15 Town of Discovery Bay Community Services District Capacity Fee Program

Recommended Action

Receive Comments and set Public Hearing for August 20, 2014 to establish Capacity Fee Charges for FY 2014-15 and beyond.

Executive Summary

On November 7, 2012 the Board conducted a Public Hearing and established Capacity Fee Charges for new water and wastewater connections. These fees were determined based on an analysis conducted by Bartle Wells Associates (BWA), the District's financial consulting firm.

It is prudent for the District to revisit their Capacity Fee structure on a regular basis, and if necessary, update those fees to reflect current conditions. These fees are established in order that new construction "pay its way" and that there is "buy in" to the system as well as contributions to those projects that are necessary as a result of new development.

Since the most recent Capacity Fee update, it has become necessary to amend those fees based upon the true costs of completed projects, the cost of projects under construction, under design, and the anticipated cost of required future projects. Two of those projects include effluent filtration and denitrification and are required as a part of the Town's newly approved RWQCB NPDES permit.

The BWA report will be provided as a part of an updated Agenda Package that will be distributed on Monday, July 14, 2014. Due to last minute edits and staff's desire to ensure that the report is as accurate as possible, it was not possible to have the report completed prior to the publication of the Agenda. As soon as the document is complete, the updated BWA report will be distributed to the Board and published to the website.

BWA staff will be presenting their findings at the meeting and will be prepared to address any questions the Board may have at that time. A public Hearing to adopt the fees will be scheduled for August 20, 2014.

Fiscal Impact:

Amount Requested

Previous Relevant Board Actions for This Item

November 7, 2012 Adoption of Resolution No. 2012-28 establishing the existing Capacity Fees schedule

Attachments

"Draft" Bartle Wells Associates FY 2014-15 Capacity Fee Study (To be distributed Monday July 14, 2014).

AGENDA ITEM: G-1



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Review "Draft" FY 2014-15 Town of Discovery Bay Community Services District Capacity Fee Program

Recommended Action

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Executive Summary

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It is prudent for the District to revisit their Capacity Fee structure on a regular basis, and if necessary, update those fees to reflect current conditions. These fees are established in order that new construction "pay its way" and that there is "buy in" to the system as well as contributions to those projects that are necessary as a result of new development.

Since the most recent Capacity Fee update, it has become necessary to amend those fees based upon the true costs of completed projects, the cost of projects under construction, under design, and the anticipated cost of required future projects. Two of those projects include effluent filtration and denitrification and are required as a part of the Town's newly approved RWQCB NPDES permit.

BWA has completed their analysis, and it is thoroughly described in the attached "Draft" Technical Memorandum. However, it should be noted that the capacity fees that are recommended as a result of this study are \$4,700 for Water services and \$11,930 for Wastewater services, for a total of \$16,630. The table below shows the recommended fee changes:

Capacity Fees	Existing	Proposed
Water	\$3,900	\$4,700
Wastewater	\$9,860	\$11,930
Total	\$13,760	\$16,630

There is a separate fee structure for committed capacity to the Hofmann Company pursuant to pre-existing agreements with the Town. Those fees are identified on Table 14 (Page 13) of the report.

BWA staff will be presenting their findings at the meeting and will be prepared to address any questions the Board may have at that time. A public Hearing to adopt the fees will be scheduled for August 20, 2014.

Fiscal Impact:

Amount Requested

Previous Relevant Board Actions for This Item

November 7, 2012 Adoption of Resolution No. 2012-28 establishing the existing Capacity Fees schedule

Attachments

"Draft" Bartle Wells Associates FY 2014-15 Capacity Fee Study

AGENDA ITEM: G-1



TO: Rick Howard, General Manager, Town of Discovery Bay Community Services District

FROM: Thomas Gaffney, Principal, and Alison Lechowicz, Analyst

DATE: July 14, 2014

SUBJECT: Water and Wastewater Capacity Fee – 2014 Update

DRAFT
TECHNICAL MEMORANDUM

Introduction

The Town of Discovery Bay Community Services District (“Town”) provides water supply, treatment, and delivery as well as wastewater collection, treatment, and disposal to approximately 14,000 residents. The Town recently completed master plans that determined the level of growth for the community through FY2021 and identified needed facility improvements. Some improvements are needed to correct deficiencies in existing facilities and other improvements are needed to expand capacity to serve future development. In addition, the Town has received guidance from the Regional Water Quality Board (“Regional Board”) that the Town’s wastewater treatment plant must add effluent filtration by 2019 and denitrifying facilities by 2024 in order to meet regulatory requirements.

This Technical Memorandum was developed with the goal of fairly assigning the cost of improvements to existing and future customers and to calculate capacity fees that recover these costs.

Existing and Future Connections

As a first step in this analysis, the existing capacity of water and wastewater facilities was reviewed. The Water Master Plan by Luhdorff & Scalmanini Consulting Engineers, January 2012 (“Water Master Plan”) determined that existing average day demand on the system is 3.658 million gallons per day (mgd). The Hofmann Land Development Company (“Hofmann”) is owed 0.114 mgd in committed water capacity per a Service Agreement and contractual arrangement with the Town. In total, existing demand and committed capacity sum to about 3.771 mgd. For the purpose of this analysis, committed capacity in both the water and wastewater facilities is treated as existing demand. Through FY2021, water demand is expected to grow by 0.694 mgd.

Existing flow of the wastewater system is 1.800 mgd with 0.208 in additional capacity committed to Hofmann. The wastewater system is expected to grow by 0.412 mgd through FY2021 as described in the Wastewater Treatment Plant Master Plan by Stantec Consulting Services Inc., October 2011, and in the Wastewater Master Plan Addendum (“Wastewater Master Plan”).

The master plans identify the typical water demand of a residential customer as about 533 gallons per day and the typical wastewater flow of a residential customer as about 335 gallons per day. This

demand and flow is used to determine the number of equivalent dwelling units (“EDUs”) of the Town. Table 1 summarizes the existing, committed, and build-out water demand and wastewater flows of the Town.

**Table 1
Projected Growth
Town of Discovery Bay**

Water System			
Existing Demand (1)	3.658	mgd	81.9%
Committed Capacity	0.114	mgd	2.5%
Expected Growth FY2012 to 2021	<u>0.694</u>	mgd	<u>15.5%</u>
Build-out Demand (1)	4.465	mgd	100.0%
Present (2)	6,865	EDUs	
Committed Capacity (3)	213	EDUs	
Expected Growth FY2012 to 2021	<u>1,302</u>	EDUs	
Build-out (2)	8,380	EDUs	
Demand per EDU	533	gal/day	
Wastewater System (4)			
Average Flow	1.800	mgd	74.4%
Committed Capacity	0.208	mgd	8.6%
Expected Growth FY2012 to 2021	<u>0.412</u>	mgd	<u>17.0%</u>
Build-out Flow	2.420	mgd	100.0%
Present	5,367	EDUs	
Committed Capacity	621	EDUs	
Expected Growth FY2012 to 2021	<u>1,228</u>	EDUs	
Build-out	7,216	EDUs	
Flow per EDU	335	gal/day	

EDU - Equivalent Dwelling Unit

(1) Page 2-5, "Water Master Plan" by Luhdorff & Scalmanini Consulting Engineers, January 2012.

(2) Page 2-6, "Water Master Plan" by Luhdorff & Scalmanini Consulting Engineers, January 2012.

(3) Committed capacity refers to Hofmann's capacity secured by a contractual agreement with the Town. This capacity does not include the reserved future capacity described in the Water Master Plan.

(4) Wastewater system build-out is estimated in "Wastewater Treatment Plant Master Plan" by Stantec Consulting Services Inc., October 2011, and in the Wastewater Master Plan Addendum. Committed capacity (Hofmann) estimated by the Town.

Methodology

The recommended capacity fees calculated in this memorandum include both a buy-in portion and an expansion portion.

Buy-in

New customers connecting to the system receive benefit from a large portion of the facilities that are already in place throughout the Town. The buy-in portion of the capacity fee recovers the costs of existing facilities that benefit all customers, existing and new.

The value of existing facilities was calculated using the Replacement Cost New Less Depreciation (RCNLD) method. The book cost of Town facilities less depreciation was escalated to present worth

using the Engineering News Record’s Construction Cost Index. The RCNLD of facilities is divided by the number of EDUs at build-out to yield a buy-in fee per EDU, see Table 2. A detailed list of Town facilities is shown in Appendix A.

Table 2
Buy-in to Existing Facilities, Reproduction Cost New Less Depreciation (1)
Town of Discovery Bay

	Water	Wastewater	Total
Buildings and Improvements			
Buildings and Improvements	\$36,964	\$880,403	\$917,367
Operations Building	28,507	28,507	57,013
Wastewater Treat. Plant 2	0	8,049	8,049
Wetlands	0	3,504	3,504
Willow Lake WT Facility	1,010	0	1,010
CIP Water			
Treatment and Collections	942,119	0	942,119
Equipment			
Equipment	88,276	81,803	170,079
Wetlands	0	5,365	5,365
Land (2)	92,000	175,000	267,000
Office Furniture & Equip	1,836	1,836	3,672
Structures & Improvements			
Golf Course	0	523,000	523,000
Sewage Lift Station	0	3,512,278	3,512,278
Wetlands	0	20,728	20,728
Newport Water Treatment Plant	2,707,894	0	2,707,894
Treatment/Collection/Distribution			
Biosolids Handling Proj.	0	1,787,245	1,787,245
Discharge Pipeline	0	2,892,848	2,892,848
Treatment and Collections	1,770,343	2,072,417	3,842,759
Wastewater Treat Plant 2	0	16,505,373	16,505,373
Wetlands	0	452	452
Willow Lake WT Facility	3,887,274	0	3,887,274
Vehicles	<u>56,234</u>	<u>56,234</u>	<u>112,469</u>
Total	\$9,612,456	\$28,555,040	\$38,167,496
Buildout Capacity	8,380	7,216	EDUs
Buy-in Cost	\$1,150	\$3,960	(\$/EDU)

(1) Original cost less depreciation adjusted to current construction cost.

(2) Land does not depreciate. Original book cost shown.

Expansion/Improvements

New customers connecting to the system will also benefit from a number of planned improvements described in the master plans. In consultation with staff, the Town’s capital improvement projects were allocated to existing/committed connections and future connections based on how each customer group benefits from the projects. Some projects are expansion related and will not be needed if growth does not occur. Expansion projects are wholly allocated to new connections. Other projects, such as fire flow improvements, benefit all customers, and are allocated based on the total flow or demand of the system at build-out, see Table 3 and Table 4.

The Town received direction from the Regional Water Quality Control Board that the Town must construct filtration and denitrification facilities at the wastewater treatment plant. These facilities will treat the Town's wastewater effluent to Title 22 standards (a higher standard than the current facilities). The Regional Board implemented these new requirements because the Town is experiencing growth. At the current rate of discharge, the Town falls within its permit requirements. However, with the added flows of new development, the Town will exceed its permitted total maximum daily load. In order to accommodate the wastewater flows of new development, the Regional Board has required that the Town treat its effluent to Title 22 standards.

The need for denitrification and filtration facilities is triggered by incremental wastewater flow from new development. However, by constructing these facilities, the Town's existing residents will benefit from receiving a higher level of wastewater service. Although the Town's current flows meet regulatory requirements, the Town anticipated that it would eventually need to upgrade its wastewater facilities by constructing effluent filtration facilities, even under a no-growth scenario. Both customer groups benefit from and have a financial responsibility for the facilities. The filtration and denitrification upgrades are allocated to existing and future customers based on a weighted average of all the other capital improvement projects.

The total cost allocated to future connections is then divided by expected growth in demand or flow to calculate the expansion fee, see Table 5, Table 6, and Table 7. The wastewater capacity fee is separated into general wastewater facilities allocated to expected growth (Table 6) and filtration and denitrification facilities that are allocated to both committed capacity and to expected growth (see Table 7). The committed wastewater capacity was secured by Hofmann based on the existing level of treatment. Filtration and denitrification facilities treat the Town's wastewater flow to a higher standard than the level assumed when the Hofmann capacity was committed. Both committed capacity and expected growth should share the filtration and denitrification facility cost allocated to expansion.

**Table 3
Allocation of Water Capital Improvement Costs
Town of Discovery Bay**

Master Plan Project No.	Capital Improvement Projects	Project Cost (ENR SF CCI 10900)	Existing & Committed Connections	Future Connections	Existing & Committed Connections	Future Connections	Project Benefit
1.a.	New Supply Well 7	\$1,500,000	0%	100%	\$0	\$1,500,000	Facility needed to provide capacity for new connections.
	New Supply Well 8 - includes site purchase, well, pump station and new raw water line	\$1,800,000	84%	16%	\$1,520,300	\$279,700	Project benefits existing and new connections.
1.b.	Replacement Well Site (Well 8) Contingency - includes site purchase, well, pump station and new raw water line	\$1,800,000	84%	16%	\$1,520,300	\$279,700	Project benefits existing and new connections.
1.c.	Well 5A Abandonment/Destruction Contingency	\$118,000	100%	0%	\$118,000	\$0	Supplies existing community.
1.d.	Well 1B Pump Equipment Upgrade	\$44,000	100%	0%	\$44,000	\$0	Supplies existing community.
	Upgrade Well 2 Pump Station	\$150,000	100%		\$150,000	\$0	Supplies existing community.
	Lower Well 4 Pump	\$10,000	100%		\$10,000	\$0	Supplies existing community.
2.a.	Treatment Filter Unit at Willow Lake WTP - includes vessel, media, foundation, all new face piping and controls, upgrade VFD control for one supply well (Well 6)	\$335,120	0%	100%	\$0	\$335,100	Existing filter unit is more than adequate for existing demand. Expansion is needed to serve growth.
2.b.	New Backwash Tank at Willow Lake WTP - includes piping modifications and foundation	\$396,000	0%	100%	\$0	\$396,000	Facility needed to provide capacity for new treatment filter.
2.c.	New Recycle Pumps at Willow Lake WTP - includes three pumps, piping and control valves	\$79,200	67%	33%	\$52,800	\$26,400	One pump needed for new capacity to serve growth. Two additional pumps needed to replace existing pumps.
2.d.	Chemical Room Upgrade at Willow Lake WTP - includes electrical and mechanical upgrades	\$31,680	84%	16%	\$26,800	\$4,900	Project benefits existing and new connections. Project will correct some existing deficiencies and will expand capacity from two to three metering pumps.
2.e.	Recycle Pump Upgrade Contingency at Newport WTP	\$31,680	84%	16%	\$26,800	\$4,900	Project benefits existing and new connections.
2.f.	Booster Pump Repair and Upgrade at Newport WTP	\$33,000	84%	16%	\$27,900	\$5,100	See above.
3.a.i	Kellogg Creek Crossing 16-inch mainline from Discovery Pt to Point of Timber Rd	\$380,160	84%	16%	\$321,100	\$59,100	Line will improve fire flow for existing and future connections.
3.a.ii	Kellogg Creek Crossing 16-inch mainline from Cabrillo Pt to Point of Timber Rd	\$380,160	84%	16%	\$321,100	\$59,100	Line will improve fire flow for existing and future connections.
3.b.	Replace 8-inch mainline with new 16-inch C905 - Willow Lake Rd from Discovery Bay Blvd to Beaver Ln	\$2,212,100	84%	16%	\$1,868,400	\$343,700	Pipe upsizing for fire flow deficiencies.
3.c.	Replace 6-inch mainline with new 8-inch C900 - Surfside Ct	\$98,560	100%	0%	\$98,600	\$0	Benefits existing community.
3.d.	Replace 6-inch mainline with new 8-inch C900 - Surfside Pl	\$80,190	100%	0%	\$80,200	\$0	See above.
3.e.	Replace 6-inch mainline with new 8-inch C900 - Marina Cir entry way	\$59,400	100%	0%	\$59,400	\$0	See above.
3.f.	Replace 6-inch mainline with new 8-inch C900 - Lido Cir entry way	\$47,520	100%	0%	\$47,500	\$0	See above.
3.g.	Replace 6-inch mainline with new 8-inch C900 - Beach Ct	\$95,040	100%	0%	\$95,000	\$0	See above.
3.h.	Replace 6-inch mainline with new 8-inch C900 - Shell Ct	\$103,950	100%	0%	\$104,000	\$0	See above.
3.i.	Replace 6-inch mainline with new 8-inch C900 - Edgeview Ct	\$98,010	84%	16%	\$82,800	\$15,200	Pipe upsizing for fire flow deficiencies.
3.j.	Replace 6-inch mainline with new 8-inch C900 - South Pt	\$181,764	84%	16%	\$153,500	\$28,200	Pipe upsizing for fire flow deficiencies.
4.a.	New Water Storage Tank at Newport WTP - includes earthwork, foundation, pipe, valves, tank, etc	\$1,188,000	0%	100%	\$0	\$1,188,000	Existing tank can accommodate current demand. New tank is needed for build-out demand.
5.a.	Install Transducers	\$23,760	84%	16%	\$20,100	\$3,700	Project benefits existing and new connections.
5.b.	Install Monitoring Wells	\$158,400	84%	16%	\$133,800	\$24,600	See above.
5.c.	Survey Wellheads	\$15,840	84%	16%	\$13,400	\$2,500	See above.
5.d.	Groundwater Basin Assessment - 10 years of data collection and reporting	\$143,000	84%	16%	\$120,800	\$22,200	See above.
6.a.	Customer Water Meter Installations by 2020 (approx. 3,907 unmetered in 2010) (\$1,641,000)	\$0	0%	0%	\$0	\$0	Meter installations are charged directly to individual customers and are revenue neutral.
6.b.	Water Conservation Program Feasibility Evaluation (O&M) (\$20,000)	\$0	0%	0%	\$0	\$0	Project moved to operations budget.
	SCADA Upgrades	\$250,000	84%	16%	\$211,200	\$38,800	Allocation of costs determined by Herwit Engineering.
	Total	\$11,844,500			\$7,227,800	\$4,616,900	

**Table 4
Allocation of Wastewater Capital Improvement Costs
Town of Discovery Bay**

Master Plan Project No.	Capital Improvement Projects	Project Cost (ENR SF CCI 10900)	Existing & Committed Connections	Future Connections	Existing & Committed Connections	Future Connections	Project Benefit
1	Influent Pump Station Modifications and Upgrade	\$1,411,800	83%	17%	\$1,171,500	\$240,300	Project will correct existing issues and increase capacity.
2	Re-Activate Pump Station W	\$511,200	83%	17%	\$424,200	\$87,000	Facility will serve existing and future connections. Project will provide emergency storage as needed.
3	Emergency Storage Facilities	\$328,600	83%	17%	\$272,700	\$55,900	Facility will serve existing and future connections. Project would be completed with or after the re-activation of Pump Station W.
4	Splitter Box, Oxidation Ditch, Replacement of Existing RAS Pumps and Standby Aerators for Existing Oxidation Ditches	\$3,964,100	83%	17%	\$3,289,500	\$674,600	Project benefits existing and new connections.
4	New Clarifier Splitter Box, New Clarifier, and New RAS Pump Station at Plant 2	\$2,597,200	0%	100%	\$0	\$2,597,200	Facility needed to provide capacity for new connections.
5	Secondary Effluent Pump Station Modifications	\$300,100	0%	100%	\$0	\$300,100	Existing capacity is sufficient. Project required after filter is added.
6	Secondary Effluent Equalization	\$816,300	83%	17%	\$677,400	\$138,900	Project possibly needed in the future for more stringent requirements for reclamation.
10	Additional UV Disinfection	\$1,440,000	0%	100%	\$0	\$1,440,000	Facility needed to provide capacity for new connections.
12	Add Pump to Export Pump Station	\$120,000	0%	100%	\$0	\$120,000	Facilities needed when peak day flow exceeds 4.0 mgd.
13	Solids Improvements, Phase 1: One New Solar Drying Pad and One Belt Press	\$1,342,100	83%	17%	\$1,113,700	\$228,400	Project will correct current capacity deficiency.
13	Solids Improvements, Phase 2: Solar Dryer #3 and Completion of Solar Drying Pad	\$2,558,400	83%	17%	\$2,123,000	\$435,400	Project needed to expand capacity for future connections.
14	Solar Dryer #4	\$335,500	0%	100%	\$0	\$335,500	Project benefits new connections.
15	SCADA Improvements	\$420,000	83%	17%	\$348,500	\$71,500	Project benefits existing and new connections.
16	Collection System Pump Station Improvements	\$780,000	83%	17%	\$647,300	\$132,700	Project benefits existing and new connections.
62	UV Bank 4 Installation	\$158,745	83%	17%	\$131,700	\$27,000	Project benefits existing and new connections.
63	Lift Station F	\$695,538	83%	17%	\$577,200	\$118,400	Project benefits existing and new connections.
	Other Contingency	\$300,000	83%	17%	\$248,900	\$51,100	Project benefits existing and new connections.
	Subtotal	\$18,079,583			\$11,025,600	\$7,054,000	
	Weighted Average				61%	39%	
7	Effluent Filtration	\$5,538,600	61%	39%	\$3,378,500	\$2,160,100	Allocation based on weighted average.
New	Denitrifying Facilities	\$5,000,000	61%	39%	\$3,050,000	\$1,950,000	Allocation based on weighted average.
	Total	\$28,618,183			\$17,454,100	\$11,164,100	

**Table 5
Water Expansion Fee Calculation
Town of Discovery Bay**

Expansion Capacity Fee		
Total CIP Cost Allocated to New Connections	\$4,616,900	(Table 3)
Expected Growth in Demand (mgd)	0.69	(Table 1)
Residential Capacity Fee		
Expansion Capacity Fee per EDU 553 gal/day avg day demand	\$3,550	
Example Nonresidential Capacity Fee		
Expansion Capacity Fee 1,000 gal/day demand	\$6,650	

**Table 6
Wastewater Expansion Fee Calculation:
General Wastewater Improvements
Town of Discovery Bay**

CIP Cost Allocated to New Connections (Excluding Filtration and Denitrification)	\$7,054,000	(Table 4)
Expected Growth in Flow (mgd)	0.41	(Table 1)
Residential Capacity Fee		
General Wastewater Capacity Fee per EDU (335 gal/day avg day flow)	\$5,750	
Example Nonresidential Capacity Fee		
General Wastewater Capacity Fee 1,000 gal/day flow	\$17,130	

**Table 7
Wastewater Expansion Fee Calculation:
Filtration and Denitrification
Town of Discovery Bay**

Costs Allocated to New Connections & Committed Capacity		
Filtration	\$2,160,100	(Table 4)
Denitrification	\$1,950,000	(Table 4)
Total	\$4,110,100	
Flow		
Committed Capacity (mgd)	0.21	(Table 1)
Expected Growth in Flow (mgd)	0.41	(Table 1)
Total	0.62	
Residential Capacity Fee		
Expansion Capacity Fee per EDU (335 gal/day avg day flow)	\$2,220	
Example Nonresidential Capacity Fee		
Expansion Capacity Fee 1,000 gal/day flow	\$6,630	

Recommended Fees

Tables 8 and 9 show the total capacity fees for water and wastewater, respectively, which include both a buy-in portion and an expansion portion. Shown in the tables are the residential capacity fees calculated on an EDU basis and example nonresidential capacity fees based on 1,000 gal/day demand or 1,000 gal/day flow.

The total recommended capacity fee per residential connection is calculated at \$16,630, see Table 10. This fee is comparable to the fee charged by local agencies, see Table 11. Table 11 also indicates agencies that have Title 22 and denitrification permit requirements similar to the Town of Discovery Bay. It should be noted that although an agency may have advanced permit requirements, the cost of upgraded facilities may not be reflected in the capacity fees. Some agencies elect to maintain capacity fees that are lower than the cost of providing facilities to meet the needs of growth.

**Table 8
Water Capacity Fee Calculation
Town of Discovery Bay**

Residential Capacity Fee		
Buy-in Capacity Fee per EDU	\$1,150	(Table 2)
Expansion Capacity Fee per EDU (553 gal/day avg day demand)	<u>\$3,550</u>	(Table 5)
	\$4,700	
Example Nonresidential Capacity Fee		
Buy-in Capacity Fee	\$2,160	
Expansion Capacity Fee (1,000 gal/day avg day demand)	<u>\$6,650</u>	(Table 5)
	\$8,810	

**Table 9
Wastewater Capacity Fee Calculation
Town of Discovery Bay**

Residential Capacity Fee		
Buy-in Capacity Fee per EDU	\$3,960	(Table 2)
General Wastewater Improvements Capacity Fee per EDU	\$5,750	(Table 6)
Filtration and Denitrification Capacity Fee per EDU (335 gal/day avg day flow)	<u>\$2,220</u>	(Table 7)
	\$11,930	
Example Nonresidential Capacity Fee		
Buy-in Capacity Fee	\$11,810	
General Wastewater Improvements Capacity Fee	\$17,130	(Table 6)
Filtration and Denitrification Capacity Fee (1,000 gal/day avg day flow)	<u>\$6,630</u>	(Table 7)
	\$35,570	

Table 10
Total Residential Capacity Fee
Town of Discovery Bay

Current Fees

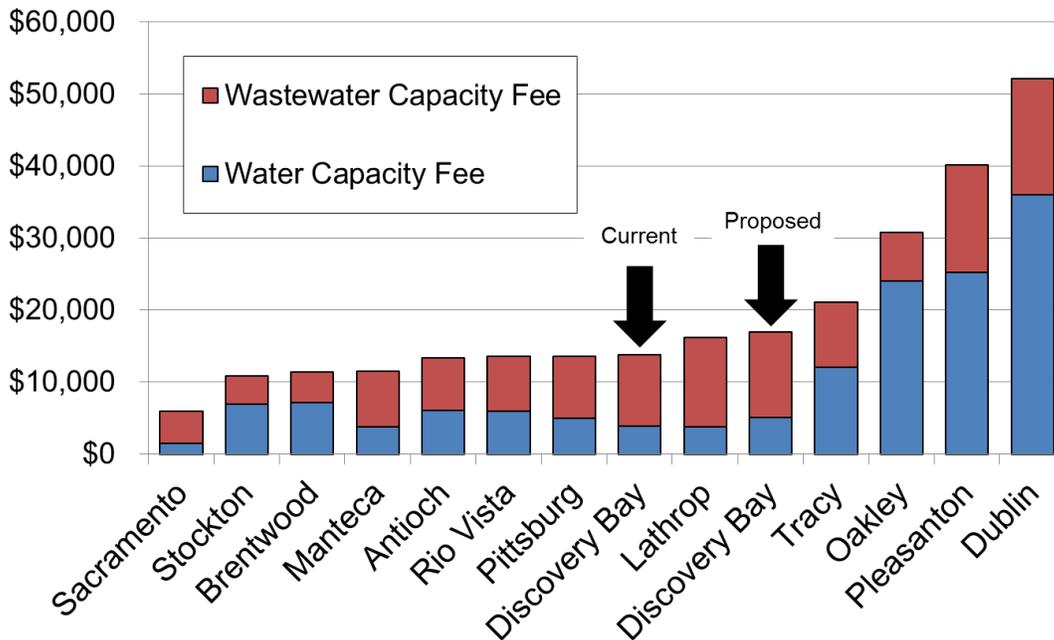
Capacity Fees adopted October 2012	
Water Capacity Fee per EDU	\$3,900
Wastewater Capacity Fee per EDU	<u>\$9,860</u>
Total	\$13,760

Recommended Fees

Residential Capacity Fee per EDU	
Water	
Buy-in	\$1,150
Expansion	<u>\$3,550</u>
Total Water	\$4,700
Wastewater	
Buy-in	\$3,960
Expansion - General Improvements	\$5,750
Expansion - Filtration and Denitrification	<u>\$2,220</u>
Total Wastewater	\$11,930
Total Residential Capacity Fee per EDU*	\$16,630

*Capacity fees will be adjusted annually based on the percent change in the Engineering New Record's Construction Cost Index for San Francisco.

Water and Wastewater Capacity Fee Survey
(Single Family Residential Customer)



**Table 11
Residential Capacity Fee Survey
Town of Discovery Bay**

Community	Water	Wastewater	Total	Wastewater Capacity Fee	
				Title 22	Dentrification
Sacramento (1)	\$1,488.57	\$4,426.00	\$5,914.57	TBD	TBD
Stockton (2)	\$6,892.50	\$5,899.50	\$10,792.50	TBD	TBD
Brentwood (3)	\$7,135.87	\$4,260.78	\$11,396.65	X	X
Manteca (4)	\$3,784.00	\$7,720.00	\$11,504.00	X	X
Antioch (Delta Diablo SD) (5)	\$6,036.20	\$7,313.78	\$13,349.98	X	TBD
Rio Vista (6)	\$5,950.00	\$7,578.19	\$13,528.19	TBD	TBD
Pittsburg (Delta Diablo SD) (7)	\$8,940.00	\$8,530.52	\$13,530.52	X	TBD
Lathrop (Manteca WQCF) (8)	\$3,741.99	\$12,467.12	\$16,209.11	X	X
Town of Discovery Bay	\$4,700.00	\$11,930.00	\$16,630.00	X	X
City of Tracy (9)	\$11,998.00	\$9,132.00	\$21,130.00	TBD	TBD
Oakley (Ironhouse SD, Diablo WD) (10)	\$24,079.00	\$6,688.00	\$30,767.00	TBD	TBD
Pleasanton (11)	\$25,230.00	\$14,885.00	\$40,115.00	X	TBD
DSRSD (Dublin) (12)	\$35,961.00	\$16,129.00	\$52,090.00	X	TBD

X – facilities are in place; TBD – facilities are unknown

(1) Wastewater fee includes a combined sewer development fee and the Sacramento Regional County Sanitation District (Regional San) treatment fee. Regional San is required to upgrade its treatment facilities to provide nitrate removal by May 2021 and filtration and disinfection by May 2023. The upgrades are currently in the planning and design phase. The wastewater capacity fees do not yet reflect the cost of treatment upgrades.

(2) Fees effective through 06/30/13. Water fees include a water connection fee plus a 3.5% administration fee and a Delta Water Supply Project Surface Water Supply fee. Wastewater fee is for the Westside Project C service area plus a 3.5% administrative fee. Additionally, is required to upgrade its treatment facilities to provide nitrate removal by May 2021 and filtration by May 2023. The wastewater capacity fees do not yet reflect the cost of treatment upgrades.

(3) Fees effective 07/01/12.

(4) Water fees effective 1/1/13. Water fee includes a Surface Water Capital Fee and Debt Service fee. Wastewater fees effective 7/20/09. Sewer fee includes a connection charge, a Manteca Water Quality Control Facility (Manteca WQCF) treatment charge, and a sewer public facilities implementation program fee. Wastewater fees based on low density residential in Zone 22. The Manteca WQCF added denitrification May 2006 and tertiary filters September 2007.

(5) City of Antioch water and sewer connection fees effective 07/01/13. Wastewater capacity fee includes a City sewer connection fee and a wastewater treatment fee from the Delta Diablo Sanitation District. Wastewater treatment capacity fee effective 07/08/11.

(6) Fees last updated in 2009. Water fee includes supply wells, storage, and transmission system fees. Wastewater fee includes a collection system fee and a connection fee. Fees are proposed to increase summer 2014.

(7) Water fee current until 11/01/12. Fee varies based on development area. Sewer fee effective 11/01/11. Wastewater treatment is provided by Delta Diablo Sanitation District.

(8) Fees effective 07/01/13. Fees shown for the East Lathrop service area. Fees vary for other development areas. The water connection fee includes a surface water supply fee and a water system well improvement fee. The wastewater connection fee includes a sewer collection fee and a wastewater treatment fee for the Manteca-Lathrop Water Quality Control Facility. Fees include a 3% administrative fee.

(9) The water connection fee includes a distribution, supply, treatment, and recycled water fee. The wastewater fee includes a conveyance fee (west service area) and a treatment plant fee.

(10) City of Oakley is served by the Ironhouse Sanitary District and the Diablo Water District. The Ironhouse Sanitary District fee is effective 07/01/13. The water fee includes facility reserve charges from the Diablo Water District (west of Jersey Island Road service area) and the Contra Costa Water District.

(11) Fees effective 04/1/14. The water capacity fee includes a City water connection fee and a Alameda County Flood Control and Water Conservation District, Zone 7, water connection fee. The wastewater capacity fee includes a DSRSD sewer connection fee and a City sewer capacity fee.

(12) Dublin San Ramon Services District - Dublin service area. Fees effective July 1, 2013. The water capacity fee includes a DSRSD water capacity reserve fee and a Alameda County Flood Control and Water Conservation District, Zone 7, water connection fee.

The nonresidential capacity fees are proportional to the water demand and wastewater flow of a typical residential customer. When a new nonresidential customer connects to the system, the Town should scale the capacity fees to the predicted demand and flow of that customer with a minimum fee based on 200 gallons per day water use and 180 gallons per day wastewater flow. The minimum capacity fee is about 50% of the residential capacity fee. Example capacity fees for nonresidential customers are shown in Table 12. For the typical nonresidential customer about 90% of water used flows into the sewer. Commercial customers typically have little to no outdoor irrigation.

Table 12
Example Nonresidential Capacity Fees
Town of Discovery Bay

Nonresidential Capacity Fee		
Water (per 1,000 gal/day demand)	\$8,810	(Table 8)
Wastewater (per 1,000 gal/day avg day flow)	\$35,570	(Table 9)
EXAMPLES		
Small Office (Minimum Charge)		
Water (200 gal/day demand)	\$1,762	(\$8,810 x (200 gal/1,000 gal))
Wastewater (180 gal/day avg day flow)	\$6,403	(\$35,570 x (180 gal/1,000 gal))
Total Capacity Fee	\$8,165	
4-Unit Shopping Center		
Water (2,000 gal/day demand)	\$17,620	(\$8,810 x (2,000 gal/1,000 gal))
Wastewater (1,800 gal/day avg day flow)	\$64,026	(\$35,570 x (1,800 gal/1,000 gal))
Total Capacity Fee	\$81,646	

Implementation

Capacity fees are collected at the time of connection to the Town’s water system and sewer collection system. To ensure continued adequate implementation of the fee, the Town should:

- Maintain an annual Capital Improvement Program budget to indicate where fees are being expended to accommodate growth.
- Comply with the annual and five-year reporting requirements of Government Code 66000 et seq.
- Annually adjust capacity fees using an appropriate construction cost index. Capacity fees should be adjusted regularly to prevent them from falling behind the costs of constructing new facilities. The Engineering News Record magazine publishes Construction Cost Indices (CCIs) monthly for 20 major U.S. cities including San Francisco and an average of 20 cities around the U.S. These indices can be used to estimate the change in the construction cost of facilities, and the Town’s capacity fees should be adjusted annually by the change in the ENR CCI for San Francisco.

Credit for Committed Capacity

The capacity fee shown in Table 10 is a general fee that fully recoups the Town’s cost of facilities for future customers. Hofmann has contributed a number of facilities to the Town and is owed credit for these facilities as described in the Town’s Ordinance No. 19, in the Reimbursement Agreement for Discovery Bay West, and contractual arrangements with the Town. The credit owed to Hofmann is in the form of committed capacity/EDUs.

The committed capacity shown in Table 1 is capacity reserved by Hofmann and is treated as existing capacity for the purpose of calculating the general capacity fees. BWA’s understanding is that Hofmann is obligated to pay \$297 per committed water EDU and \$2,789 per committed wastewater EDU per a contractual agreement with the Town. Hofmann’s wastewater contractual agreement applies to capacity at the existing treatment level. The agreement does not include capacity in the Town’s filtration and denitrification facilities.

At the time of the writing of this memorandum, Hofmann intends to build an estimated 702 homes, some of them have been recently been constructed by Kiper Homes. Hofmann is owed 213 EDUs of water committed capacity. Therefore, for the first 213 EDUs connected to the system, Hofmann is obligated to pay \$297 per water EDU. For all EDUs beyond the first 213, Hofmann will exceed its committed water capacity and should pay the water capacity recommended in Table 10.

**Table 13
Hofmann Water EDUs Capacity Fee Schedule
Town of Discovery Bay**

Hofmann Proposed Development Water EDUs	Water Capacity Fee (per EDU)	Notes
First 213 EDUs Contractual agreement	\$297	Hofmann is obligated to pay \$297 per water EDU committed capacity per a contractual agreement between the Town and Hofmann.
Over 213 EDUs Water Capacity Fee	\$4,700	Water EDUs exceed committed capacity to Hofmann.

Hofmann is also owed 621 EDUs of wastewater committed capacity at the current treatment level. For the first 621 EDUs connected, Hofmann is obligated to pay \$2,789 per wastewater EDU based on the contractual agreement plus the capacity fee for filtration and denitrification. The total wastewater capacity fee for Hofmann committed capacity is \$5,009. For all EDUs beyond the first 621, the contractual agreement no longer applies. Hofmann will exceed its committed wastewater capacity and should pay the wastewater capacity fee recommended in Table 10. See Table 14 for a description of the Hofmann wastewater credits and capacity fees.

Table 15 provides a summary of the water and wastewater capacity fees for the Hofmann developments.

Table 14
Hofmann Wastewater EDUs Capacity Fee Schedule
Town of Discovery Bay

Hofmann Proposed Development Wastewater EDUs	Wastewater Capacity Fee (per EDU)	Notes
First 621 EDUs		
Contractual agreement	\$2,789	Hofmann is obligated to pay \$2,789 per wastewater EDU for committed capacity per a contractual agreement between the Town and Hofmann.
Buy-in Wastewater Capacity Fee	NA	Does not apply to committed capacity.
Expansion Wastewater Capacity Fee		
General Wastewater Capacity Fee	NA	Does not apply to committed capacity.
Filtration and Denitrification Capacity Fee	\$2,220	Filtration and denitrification facilities are not included in Hofmann's contractual agreement. The capacity fee for these facilities is charged to all Hofmann EDUs.
Total Capacity Fee per EDU of Committed Capacity	\$5,009	Total fee per EDU of Hofmann committed capacity.
Over 621 EDUs		
Contractual agreement	NA	Wastewater EDUs exceed committed capacity to Hofmann.
Buy-in Wastewater Capacity Fee	\$3,960	Applies to EDU's in excess of committed capacity.
Expansion Wastewater Capacity Fee		
General Wastewater Capacity Fee	\$5,750	Applies to EDU's in excess of committed capacity.
Filtration and Denitrification Capacity Fee	\$2,220	Applies to all Hofmann EDUs.
Total Capacity Fee per EDU of Committed Capacity	\$11,930	Total fee per EDU in excess of Hofmann committed capacity.

**Table 15
Hofmann Proposed Development
Town of Discovery Bay**

Hofmann Proposed Development	Water Capacity Fee (per EDU)	Wastewater Capacity Fee (per EDU)	Total Capacity Fee (per EDU)	Notes
First 213 EDUs	\$297	\$5,009	\$5,306	Hofmann is obligated to pay \$297 per water EDU and \$2,789 per wastewater EDU for committed capacity per a contractual agreement between the Town and Hofmann. In addition, Hofmann pays an advance wastewater treatment fee of \$2,220 per wastewater EDU for all EDUs (committed and in excess of committed).
Next 408 EDUs	\$4,700	\$5,009	\$9,709	Water EDUs exceed committed capacity to Hofmann. Wastewater EDUs included in committed capacity to Hofmann.
Over 621 EDUs	\$4,700	\$11,930	\$16,630	Exceeds committed capacity to Hofmann.

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Appendix A – Replacement Cost New Less Depreciation of Existing Facilities

DRAFT



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Announcement of Special District Vacancy on LAFCO, Call for Nominations and for Names of Voting Delegates – Election July 21, 2014

Recommended Action

Staff recommends that the Board select one (1) Special District Regular Member to fill a vacated term of office on the LAFCO Board.

Executive Summary

This item was presented to the Board at the July 2, 2014 Regular Board meeting. However, since insufficient background information was provided by the candidates at that time, the Board delayed their recommendation until such time as candidate information could be obtained. That information is attached for Board review.

As the Board is aware, there is a vacant special district regular seat on the Contra Costa Local Agency Formation Commission (LAFCO) created by the recent passing of Dwight Meadows. LAFCO is seeking nominations to fill the unexpired term ending May 7, 2018. Those individuals that have been nominated by their respective Special Districts are as follows:

- Robert Amrine, Bethel Island Municipal Improvement District
- Stephen L. Anderson, Moraga Orinda Fire District
- George H. Schmidt, West County Wastewater District
- Igor Skaredoff, Contra Costa Resource Conservation District

The Independent Special District Selection Committee is scheduled to take place on Monday, July 21, 2014 at 10:00 a.m. The meeting will take place in conjunction with the quarterly meeting of the Contra Costa Special Districts Association, to be held at the Central Contra Costa Sanitary District offices.

It is recommended that the Board of Directors select a candidate to fill the Special District vacancy currently open on the LAFCO Board.

Furthermore, during the Regular Board meeting, July 2, 2014, the Board appointed Bill Pease to be the voting delegate for the Special District candidate on July 21, 2014.

Fiscal Impact:

Amount Requested \$N/A

Previous Relevant Board Actions for This Item

March 19, 2014 – Appointment of Dwight Meadows, July 2, 2014

Attachments

Contra Costa Local Agency Formation Commission Public Announcement; Background information - Robert Amrine, Stephen L. Anderson, George Schmidt, Igor Skaredoff

AGENDA ITEM: G-2



May 27, 2014

TO: Each Board Member and General Manager of Each Independent Special District in Contra Costa County

FROM: Lou Ann Texeira, LAFCO Executive Officer

SUBJECT: **Announcement of Special District Vacancy on LAFCO, Call for Nominations and for Names of Voting Delegates – Election July 21, 2014**

This is to advise all independent special districts of a vacant special district regular seat on the Contra Costa Local Agency Formation Commission (LAFCO) created by the recent passing away of Dwight Meadows. We are seeking nominations to fill the unexpired term on LAFCO ending May 7, 2018.

Pursuant to Government Code Section 56332 and the Procedures for the Special District Selection Committee, both of which are enclosed, I am announcing the election and calling for nominations for the vacancy to be submitted to the LAFCO office by **June 27, 2014** in conjunction with an election scheduled for **July 21, 2014** (see attached Election Schedule).

The following summarizes the process.

Selection Committee: The Independent Special District Selection Committee (ISDSC) consists of the presiding officer (or designee) of the legislative body of each independent special district. This group appoints the special district members of LAFCO. *The ISDSC is encouraged to make selections that fairly represent the diversity of the independent special districts in the county.*

Attached please find the current roster of the ISDSC, which was used in conjunction with the April 2014 election. Please review and provide us with the name of your voting delegate (must be a board/trustee member) for the July 2014 election by **June 27, 2014**. Even if this is the same person who voted in April 2014, we must receive confirmation that your delegate will be in attendance on July 21 to assure that we will have a quorum.

Nominations: Each candidate must be nominated by a Special District Board resolution and must be a board member/trustee of an independent special district. The nomination should include the name of the nominee and the district they serve. The nominating resolution must be submitted to LAFCO by the deadline of **June 27, 2014**. Each independent special district is entitled to nominate a maximum of one board member.

In accordance with established Procedures for the Special District Selection Committee, nominations (by Board resolution) may be made from the floor during the Selection Committee meeting, *but only if no prior nominations by resolution were submitted by any of the independent special districts.*

Election Procedures: A publicly noticed meeting of the Independent Special District Selection Committee is scheduled for **Monday, July 21, 2014 at 10:00 a.m.** in conjunction with the quarterly meeting of the Contra Costa Special Districts Association, to be held at the Central Contra Costa Sanitary District Multipurpose Room, located at 5019 Imhoff Place in Martinez.

Prior to the meeting, a list of candidates will be sent to each special district.

Official ballots will be distributed at the meeting on July 21. Please ensure that the presiding officer/designated alternate for your district will attend this meeting. ***Without a quorum of Independent Special Districts no action can be taken at the meeting to fill the vacancy.*** Only the presiding officer, or his/her Board designee can vote; staff members/counsel are not authorized to vote.

Prior to or at the election meeting, eligible nominated candidates may circulate a statement of qualifications. At the Selection Committee meeting, each candidate will be given an opportunity to make a brief presentation to the Selection Committee.

Majority Vote: For the Selection Committee to transact business on July 21, a quorum (50% plus one) of independent special districts must be present. We encourage presiding officers to attend; but if they cannot, please authorize another member of the governing board to attend the meeting.

Obligations of Service on LAFCO: The Commission typically meets monthly on the second Wednesday. Meetings start at 1:30 p.m. and are generally over before 5:00 p.m. Most meetings are held in the County Administration Building in Martinez. A packet of materials to review for each meeting is distributed to Commissioners approximately one week prior to the meeting.

The Commission consists of two city members, two county members, two special district members and one public member, and an alternate member in each category. Alternates generally attend Commission meetings, participate in the deliberations and vote when a regular member in their category is absent or excused from voting. *Commissioners are expected to represent the interests of the public as a whole, and not solely the interests of the appointing authority.*

Please contact the LAFCO office if you have any questions or need additional information.

c: Each Member of the Commission

Attachments

1. Government Code Section 56332
2. Procedures for the Special District Selection Committee
3. July 2014 Election Schedule
4. April 2014 ISDSC Voting Delegates

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE BETHEL ISLAND MUNICIPAL IMPROVEMENT DISTRICT
NOMINATING DIRECTOR ROBERT AMRINE AS A CANDIDATE FOR THE VACANCY OF
SPECIAL DISTRICT MEMBER ON THE
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION (LAFCO)**

RESOLUTION NO. 14-06-19D

June 19, 2014

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCO) has announced a vacancy on the commission; and

WHEREAS, LAFCO requires that candidates be a board member of an independent special district; and

WHEREAS, LAFCO requires that candidates for the vacancy be nominated by a Special District Board resolution;

WHEREAS, the Bethel Island Municipal Improvement District wishes to nominate Director Robert Amrine as a candidate for the vacancy of special district member on the Contra Costa Local Agency Formation Commission (LAFCO).

NOW THEREFORE, BE IT RESOLVED, that the Bethel Island Municipal Improvement District hereby nominates Director Robert Amrine as a candidate for the vacancy of special district member on the Contra Costa Local Agency Formation Commission (LAFCO).

PASSED by the Board of Directors at a regular meeting of the Bethel Island Municipal Improvement District on June 19, 2014 by the following vote:

Ayes: Directors: Berzinas, Eisenbeis, Amrine, Quinn, Smith

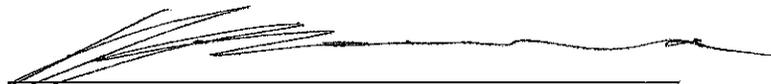
Noes: None

Abstentions: None

Absent: None



Anthony J. Berzinas
President, Board of Directors



Robert Amrine
Board Secretary

Candidate's Statement
Stephen L. Anderson
Businessman
Director, Division 3, Moraga-Orinda Fire District

I am running for LAFCO's Special District vacancy. As a concerned homeowner, taxpayer, businessman, and board member of a special district, I recognize the criticality of LAFCO's oversight services to Contra Costa County. I share LAFCO's goals that all local government boundary changes, incorporations, annexations, and special district formations address an orderly formation and development, be fiscally prudent, and maintain a sustainable expense/revenue trajectory.

Background:

Since 1975, I have been a California resident. In addition, since 1977, I have been a California business owner. Currently I am the managing partner of the Paladin Management Group, a business consulting practice providing services to U.S. and international IT-oriented companies on business processes, sales, and marketing strategies. My professional background includes executive positions with national enterprise software companies, including President of VideoYellowPages.com, COO of Creative Computer Solutions, and CEO of Data Directions. Fortune 500 experience includes IS Director for Levi Strauss and Systems Engineer Manager for Electronic Data Systems. I have successfully managed the enterprise growth cycle of multiple businesses to include both mature and startups leading to fiscally successful exit strategies.

Education:

BSBA; University of Florida

MBA; University of Florida

Other Experience:

Captain US Army, service in West Germany, Panama, and RVN

Contribution to LAFCO:

As a California business owner of over 35 years, I bring a fiscally prudent management style of creative problem solving, practiced communication, and persuasion to a stressful environment in order to create a high performing organization at reduced costs. I have successfully managed the funding and growth of private enterprises and supported the administration and operations of several quasi-governmental agencies to include Housing Authorities and Redevelopment Agencies in diverse locations as Los Angeles, Sacramento, San Jose, Marin County, San Mateo County, Eureka, Hanford, and Fresno. As an avocation, I have assisted non-profit organizations seeking solutions to the support, administration, and management of various local, state, and national parks within California. I have personally assisted in the restoration of several historical sites.

I emphatically support LAFCO's mission. As a Commissioner, I will provide the fiscal prudence, attention to detail, and leadership to work to insure an effective and efficient LAFCO response to Contra Costa Counties' special districts.

Please feel free to contact me with any questions, concerns, or advice you might wish to offer.

Stephen L. Anderson
(510) 410-2001
sfecanard@aol.com

RESOLUTION NO. 14-09

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE MORAGA-ORINDA FIRE DISTRICT NOMINATING
DIRECTOR STEVEN ANDERSON AS A REPRESENTATIVE OF
SPECIAL DISTRICTS ON THE COUNTY OF CONTRA
COSTA LOCAL AGENCY FORMATION COMMISSION**

BE IT RESOLVED, that the District Board of Directors hereby nominates District Director Steven Anderson as a special district representative on LAFCO; and,

BE IT FURTHER RESOLVED, that on the approval of this resolution, the Board Secretary is directed to forward a certified copy of this resolution to LAFCO to request the consideration of District Director Steven Anderson as the Special District's representative on LAFCO.

PASSED AND ADOPTED this 18th day of June, 2014 at the Regular Board Meeting of the District Board of Directors held on June 18, 2014, at 1500 Saint Mary's Road, Moraga, California 94556, on motion made by Director, Weil, seconded by Famulener and duly carried with the following roll call vote.

AYES: DIRECTORS WEIL, FAMULENER AND PRESIDENT WYRO

NOES: NONE

ABSENT: DIRECTORS ANDERSON AND EVANS

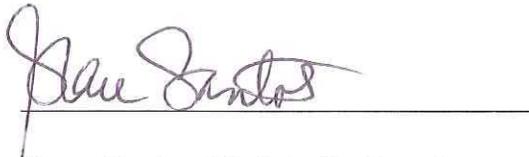
ABSTAIN: NONE

Dated: June 18, 2014



John Wyro, President
Board of Directors

ATTEST:



Grace Santos, Clerk to the Board

JUL 03 2014

GEORGE H SCHMIDT

3701 Painted Pony Rd., Richmond, CA 94803

BigGeorge8@aol.com ph (510) 222-1320

July 2, 2014

TO: Independent Special Districts of Contra Costa County

My name is **GEORGE H. SCHMIDT**. I have been serving as the Independent Special District alternate representative on the Contra Costa LAFCO since I was elected in December 1998. I am asking for your District's vote to elect me as one of the two Contra Costa Special Districts Association regular members on LAFCO.

The West County Wastewater District (WCWD) Board nominated me as their candidate for this LAFCO position. Since being elected a WCWD Board member in November 1992 I have regularly attended California Association of Sanitation Agency (CASA) Conferences, Contra Costa Special District Association (CCSDA) quarterly meetings, the California Special Districts Association (CSDA) Annual meeting and the CALAFCO Annual meeting in order to keep up with Special District concerns.

As a 45 year resident of Richmond and Contra Costa County I have spent countless hours, working on Committees for the betterment of my community. I have had a lifelong interest in City and area planning. I am interested in and believe in reasonable growth and development. I am most familiar with West County issues. However, having served as one of your representatives on the Contra Costa LAFCO for the past 15 years, I have learned much about the issues facing Central and East County as we completed Municipal Service Reviews (MSR) and Sphere Of Influence (SOI) updates.

As one of your two regular representatives on the Contra Costa LAFCO I will continue to spend the time necessary to become familiar with the issues that come before the LAFCO in order to arrive at the best decision possible.

I believe my background and work experience makes me a good candidate to replace Dwight Meadows as your regular Independent Special District member on the Contra Costa LAFCO. Only one other West Contra Costa County resident currently serves on LAFCO, he is Richmond City Council Member Tom Butt who has been the city alternate Member for the past 2 years.

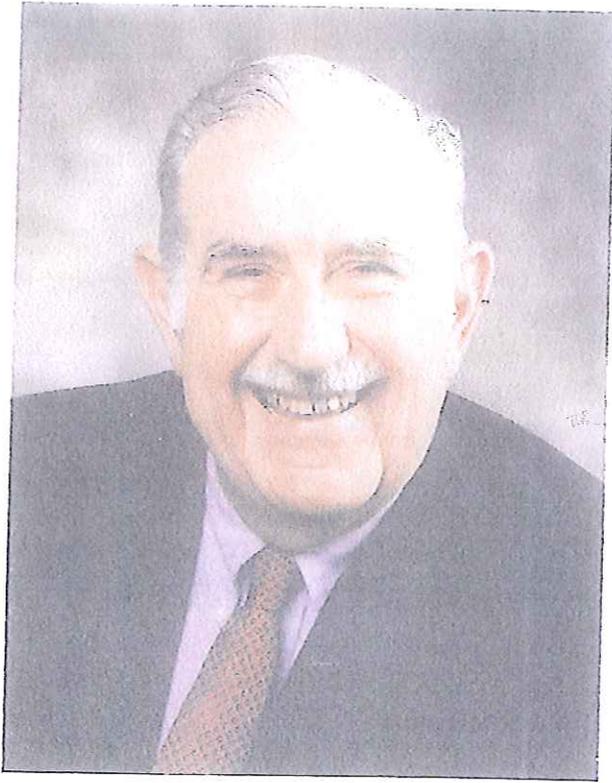
Please be sure to have your voting representative attend the meeting of the Independent Special Districts Selection Committee at 10:00 a.m. on July 21, 2014 and cast your VOTE FOR ME to become one of your two regular members on the Contra Costa LAFCO.

Sincerely



GEORGE H. SCHMIDT

Board President, West County Wastewater District



George H. Schmidt

- Member of the Board of Directors, West County Wastewater District since December 1992
- Special Districts Alternate, Contra Costa LAFCO since December 1998
- Board Member, Richmond Neighborhood Coordinating Council, since 1991
- President, Richmond Neighborhood Coordinating Council, 1993 to 1996
- Past President, May Valley Neighborhood Council
- Member, El Sobrante Valley Planning and Zoning Advisory Committee since 1974
- President, Rotary club of El Sobrante, 1994-1995
- Veteran, United States Air Force
- Resident of Richmond, CA since June 1968
- Bachelors Degree, Electrical Engineering, Oregon State University
- Retired, Commercial Accounts, PG& E, 31 years of Service

George H. Schmidt, El Sobrante Chamber of Commerce 1999 Citizen of the Year.



Community Partner for Our Bay, Our Environment

June 5, 2014

Lou Ann Texeira, Executive Officer
Local Agency Formation Commission
651 Pine Street, Sixth Floor
Martinez, CA 94553

Subject: Call for Nomination for Special District Representative

Dear Lou Ann:

The Board of Directors of the West County Wastewater District, at their regular meeting of June 3, adopted Resolution No. 14-033 Nominating George H. Schmidt as a Candidate for the Regular Special District Member Vacancy on the Local Agency Formation Commission (resolution attached).

Representing the West County Wastewater District at the Independent Special District Selection Committee meeting on Monday, July 21, will be President George H. Schmidt.

Please do not hesitate to contact me at (510) 222-6700 should you have any questions or require additional information.

Sincerely,

Maria L. Sena
Secretary to the Board
West County Wastewater District

BOARD MEMBERS

Leonard L. Battaglia
Michael T. Caine
Alfred M. Granzella
George H. Schmidt
Paul C. Soltow, Jr.

BOARD ATTORNEY

Alfred A. Cabral

GENERAL MANAGER

E. J. Shalaby

\mls
Attachment (1)

**RESOLUTION OF THE BOARD OF DIRECTORS OF WEST COUNTY
WASTEWATER DISTRICT, COUNTY OF CONTRA COSTA, CALIFORNIA**

RESOLUTION NO. 14-033

**NOMINATING GEORGE H. SCHMIDT AS A CANDIDATE FOR THE SPECIAL DISTRICT
REGULAR MEMBER SEAT ON THE CONTRA COSTA LOCAL AGENCY FORMATION
COMMISSION**

The Board finds that:

1. It is important for a representative of special districts to sit on the Contra Costa County Local Agency Formation Commission to act in the interest of special districts.
2. A vacancy on the Costa County Local Agency Formation Commission was created by the passing of Dwight Meadows.
3. Director George H. Schmidt has expressed his interest in being candidate for the Special District Regular Member seat.

The West County Wastewater District Board of Directors of Contra Costa County, California, nominates George H. Schmidt as a candidate for the Special District Regular Member seat on the Contra Costa Local Agency Formation Commission.

* * *

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the Board of Directors of the West County Wastewater District, Contra Costa County, California, at a regular meeting thereof held on the 3rd day of June, 2014, by the following vote:

AYES: Battaglia, Granzella, Caine, Soltow
NOES: None
ABSENT: Schmidt



Acting President of the Board of Directors
West County Wastewater District
Contra Costa County, California



BOARD OF DIRECTORS

RESOLUTION NO. 06-14-3

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCO) has called for nominations for a member to represent Special Districts; and

WHEREAS, Igor Skaredoff is Board President of the Contra Costa Resource Conservation District (CCRCD), a countywide independent special district whose boundaries are coterminous with the service area of LAFCO; and

WHEREAS, Igor Skaredoff has served on the CCRCD Board since 2010 and his term with CCRCD continues until November 30, 2016; and

WHEREAS, Igor Skaredoff worked for Shell from 1964-2000 as a chemist, volunteer firefighter, and firefighting instructor, currently serves on the Task Force to update the Martinez General Plan, and has served on the Contra Costa County Hazardous Materials Commission, Restoration Advisory Board for the Concord Naval Weapons Station, and is an active volunteer for a wide variety of community service organizations for several decades throughout Contra Costa County.

NOW, THEREFORE BE IT RESOLVED, that Contra Costa Resource Conservation District hereby requests the nomination of Igor Skaredoff to the Local Area Formation Commission Board of Directors.

AYES, and in favor thereof, Directors 3

NOES 0

ABSENT 2

Attest: *Teresa Hunter, Office Administrator*
CCRCD

Igor O. Skaredoff

Igor O. Skaredoff, President



Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Rick Howard, General Manager
Submitted By: Rick Howard, General Manager *RH*

Agenda Title

Award of Contract to Du-ALL Safety, LLC in the amount of \$36,000.00 to provide safety support services and staff training for the period July 1, 2014 to June 30, 2015.

Recommended Action

That the Board (1) authorize contract in the amount of \$34,800.00 to Du-ALL Safety, LLC for safety related training and related support services; and (2) authorize the General Manager to execute all contract documents.

Executive Summary

The Town of Discovery Bay does not and has not had a safety and training program in place. From a training and safety stand point, it is critical that proper training and safety methods are communicated to staff at all levels.

In March 2014, Du-All performed an internal assessment of all Town facilities and safety related programs. A copy of that assessment is attached. Based on that assessment, a more formal program was prepared and is identified in the attached Scope of Work. The program encompasses a wide variety of safety related topics and ensures that the District is safety compliant with all pertinent Federal, State and local requirements. This program is aimed at ensuring that employees of the Town do not expose themselves or others to hazardous working conditions.

In addition, the Town's insurance carrier, SDRMA, has reviewed the Scope of Work and endorses the overall program. Du-ALL Safety primarily focuses on small public agencies and has many cities and special districts as clients.

The overall program cost is based on a monthly amount of \$2,900.00.

Fiscal Impact:

Amount Requested \$36,000.00

Sufficient Budgeted Funds Available?: YES (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. XX Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

Adoption of FY 2014-15 Operating Budget

Attachments

Town of Discovery Bay Safety Service Agreement - Du-All Safety Proposal and Scope of Work
Safety Compliance Assessment

AGENDA ITEM: G-3



MEMORANDUM of AGREEMENT
for
Environmental Health & Safety Maintenance

This Agreement is entered into by and between the Town of Discovery Bay with its principal offices at 1800 Willow Lake Road, Discovery Bay California (Client) and Du-All Safety, LLC, located at 45950 Hotchkiss St, Fremont, CA (Du-All Safety) for the purpose of providing environmental health and safety consultation. The undersigned party (hereafter referred to as "Client") hereby agrees to the development and implementation of safety programs, employee training and compliance services by *Du-All Safety*, not to exceed Twenty (20) hours, as described in the Services Summary below:

I. **Services Summary:**

The following service summary is a menu of support services available to be provided, as requested by the client:

- a) Provide assessments of, development of, or updates to, written safety programs, policies, and procedures. Including, but not limited to:
- Asbestos, 8 CCR 1529.
 - Bloodborne Pathogen, 8 CCR 5193.
 - Chemical Hygiene Plan, 8 CCR 5191
 - Codes of Safe Practices, 8 CCR 1509
 - Confined Space, 8 CCR 5157.
 - Emergency Action Plan, 8 CCR 3220.
 - Ergonomics, 8 CCR 5110.
 - Electrical Safety, NFPA 70E.
 - Fall Protection, 8 CCR 1669.
 - Fire Prevention Plan, 8 CCR 3221
 - Hazard Communication, 8 CCR 5194.
 - Heat Illness Prevention, 8 CCR 3395.
 - Hearing Conservation, 8 CCR 5099.
 - Hotwork, 8 CCR 4848.
 - Injury & Illness Prevention, 8 CCR 3203.
 - Lockout & Tagout, 8 CCR 3314.
 - Personal Protective Equipment (PPE), 8 CCR 3380.
 - Respiratory Protection, 8 CCR 5144.
 - Workplace Violence, 8 CCR 3203



b) Assist with the following safety recordkeeping requirements:

- Accident Investigations
- Required Posting
- Inspections & Assessments
- Safety Training Records
- Industrial Hygiene Surveys
- CAL/OSHA 300 Log
- Employee Communications
- Safety Committee Meeting Minutes
- Medical Surveillance

c) Provide assessments of, development of, or updates to, written environmental health programs and related permits. The environmental services and written programs that are available include:

- Air Quality Management District Air Permits, *Local Regulation*.
- Hazardous Materials Business Plan, *CH&SC 25500*.
- Hazardous Waste Management, *22 CCR 66261 – 66280*.
- Medical Waste Management, *CH&SC 117935 & 117960*.
- Spill Prevention and Countermeasures Plan, *40 CFR 112*
- Storm Water Pollution Prevention Program, *Order 97-03-DWQ*.
- Underground Storage Tank Management, *23 CCR 2600 -2715*.

d) Assist with the following environmental health recordkeeping requirements:

- Chemical Inventory
- Spill Response Systems
- CFC-12 & HFC-134 compliance
- MSDS Procurement
- Facility Mapping
- Hazardous Material Placarding

e) Perform risk assessments and job hazard analysis (JHA) of hazardous operations as required.

f) Conduct periodic facility EH&S inspections. Inspection findings are provided in a checklist format with recommended corrective actions. Reports are sent to the client within a week of the inspection.

g) Provide regular on-site training at the direction of the client. Topics include:

- ATD Standard^{1,2}
- Automotive Lift Safety
- Asbestos^{1,2}
- Back Safety
- Bloodborne Pathogen²
- Bug bites & Animals
- Confined Spaces¹
- DOT Requirements¹
- Fall Protection¹
- Fire Extinguisher^{1,2}
- First Aid/CPR/AED¹
- First Responder^{1,2}
- Forklift Certification¹
- Hazard Communication¹
- Hazardous Waste^{1,2}
- HAZWOPER^{1,2}
- Lane Closure¹
- Lead Handling¹
- Lockout /Tagout^{1,2}
- Machine Tools¹
- Utility Location^{1,2}
- PPE¹
- Lawn Mowers¹
- Respiratory Protection^{1,2}



- Driver Safety
- Earthquake
- Electrical Safety ¹
- Emergency Response
- Ergonomics
- Heat Illness ¹
- Hearing Conservation ^{1,2}
- Hotwork ¹
- Injury & Illness Prev.¹
- Ladder Safety ¹
- Rigging
- Scaffolding Safety ^{1,2}
- Spill Response
- Trenching & Shoring ¹
- Workplace Violence

¹ Indicates required training.

² Indicates *annual* training requirement.

72 hours advanced notice is required to cancel any scheduled training.

- h) Required signs, labels, tags, placards, certificates, licenses, posting, etc. are provided at a reduced rate during the course of this agreement.
- i) Online safety training will be provided at 50% of the retail price during the course of this agreement.
- j) Open enrollment classes held regularly at Du-All Safety, LLC in Fremont, CA will be provided at the reduced client maintenance rate, most class are 50% off the normal rate.
- k) The Du-All Safety electronic newsletter, the Buzz on Safety will be provided at no additional charge during the course of this agreement to keep client up-to-date with the changes to EH&S laws that affect them.
- l) Provide the following general EH&S consultation services upon request and direction by the client:
 - Develop and maintain a EH&S training matrix that identifies each employee group and the required training and refresher frequency for each subject.
 - Develop and maintain an annual EH&S plan of action that identifies the compliance tasks targeted for each month.
 - Run or assist with regular scheduled safety committee meetings.
 - Conduct and evaluate evacuation drills.
 - Maintain copies of all training records.
 - Prepare safety training outlines, materials and schedule for client approval.
 - Prepare materials and have specialists available to assist at special management meetings as needed.
 - Assist with any regulatory agency inspection (i.e. EPA, CUPA, County Health Dept., Fire Dept., Cal/OSHA, BAAQMD, DTSC, etc.).
 - Prepare a monthly status report of the above activities.
 - Du-All Safety consultants will be available for special meetings with managers /supervisors to support the EH&S compliance progress.



II. **Billing Procedure:**

- a) Client agrees to pay a total monthly cost of \$2,900. for services as requested from the services summary, not to exceed Twenty (20) hours a month.
- b) Additional monthly service hours can be requested beyond Twenty (20) hours in a given month and will be charged at the rate of: \$145 per hour.
- c) All safety equipment, medical surveillance, and other compliance items are the Client's responsibility to purchase. These items, however, can be purchased and/or coordinated through Du-All Safety.
- d) Payment for all services and equipment will be remitted by Client to *Du-All Safety* upon receipt of any services or merchandise.
- e) Any *additions* to this memorandum of agreement will be attached to the back of the agreement. Initial here if additions are so attached: _____

(Client initials)

III. **Duration**

- a) Both parties are bound to this agreement for no less than one (1) year.
- b) If, after the expiration of one year, neither party acts to extend, modify, or terminate this agreement, the agreement will continue in full force and effect until action is taken, in accordance with the provisions above, to otherwise alter the status of the agreement.

IV. **Integrated Contract**

This written agreement is the complete and entire understanding between the parties and supersedes any oral agreements made prior to the signing of this agreement. Any changes to this agreement can only be made with the consent of both parties.

V. **Bankruptcy**

In the event that either party shall cease conducting business in the normal course, become insolvent, make a general assignment for the benefit of creditors, suffer or permit the appointment of a receiver for its business or assets or shall avail itself of, or become subject to, any proceeding under the Federal Bankruptcy Act or any other statute of any state relating to insolvency or the protection of rights or creditors, then at the option of the other party, this Agreement shall terminate and be of no further force and effect, and any property or rights of such other party, tangible or intangible, shall forthwith be returned to it.



VI. Inducing Employees to Leave Du-All Safety or Attempt to Hire Employees of Du-All Safety

Any attempt on the part of Client or former Client to induce employees to leave Du-All Safety's employ, or any effort by Client or former Client to interfere with Du-All Safety's relationship with its employees would be harmful and damaging to Du-All Safety. Client agrees that during the term of employment and for a period of three (3) years thereafter, Client or former Client will not in any way, directly or indirectly (i) induce or attempt to induce any employee of Du-All Safety to quit employment with Du-all Safety; (ii) otherwise interfere with or disrupt Du-All Safety's relationship with it's employees; (iii) solicit , entice, or hire away an Employee of Du-All Safety; or (iv) hire or engage any employee of Du-all Safety or any former employee of Du-all Safety whose employment with Du-All Safety ceased less than one year before the date of such hiring or engagement.

VII. Acceptance

I accept the terms of this agreement. I hereby authorize *Du-All Safety* to perform the work stated and I further agree to remit the amounts stated for any services performed by, or equipment provided by *Du-All Safety*, in a timely manner. This proposal is valid for 30 days.

Client Acceptance

Signature: _____

Printed Name: Richard Howard

Title: General Manager

Dated: _____

Purchase order number: _____

Du-All Safety Approval

Signature: _____

Printed Name: _____

Title: _____

Dated: _____



**1800 Willow Lake Road
Discovery Bay, CA 94505**

Safety Compliance Assessment

March - April 2014

Prepared by:



45950 Hotchkiss Street • Fremont, CA 94539 • Tel: 510-651-8289 • Fax: 510-651-8937
www.du-all.com • E-mail: safety@du-all.com

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EXECUTIVE SUMMARY

This safety compliance assessment documents observations and gap analysis-type findings that include a number of written program recommendations for improvement at the Town of Discovery Bay Community Services District (Discovery Bay). The observations indicate that the District has developed about half of the safety programs that are required for their operations. Per the details later in this report, each existing safety program would benefit from revisions to ensure that Discovery Bay is in compliance.

Original written program development and subsequent revision dates of the programs provided to Du-All Safety varied, spanning from 2008 to 2013. Proper implementation of each of the programs was also varied depending on the topic and the effected work group. It was noted that the Parks and Landscape Manager has done an excellent job in developing the heat illness, hazard communication, and bloodborne pathogen programs for the District and has conducted regular safety training for her staff. The District also had a substantial number of safety topics in a binder that were downloaded from the Special District Risk Management Authority (SDRMA) Prevention website link. The information is excellent for use as employee training supplements, but not specific to Discovery Bay's operations or the written program elements as required.

Discovery Bay contracts with Veolia to manage the day to day operations for the Wastewater Plants and Water Well sites. It is recommended that Discovery Bay work in conjunction with Veolia in the development of programs that effected their operations. Examples include the fall protection, lockout/ tagout, and confined space programs.

At present time, no safety committee exists. It is recommended that a committee be developed with an initial focus to update the written safety programs for each subject requirement. The development priority of these safety programs is recommended later in the attachments. This priority is based on employee exposure, frequency and duration of exposure, and the list of program discrepancies provided later in this report. We recommend these programs should be updated at a rate about of one per month until complete. It is also recommended that a standard format be adopted which includes; table of contents, revision history log, responsibilities, and Cal/OSHA regulatory citations.

A recommended written program development/update schedule based on priority is enclosed with this assessment report as a recommended 2014-15 safety plan of action. The safety committee should:

1. Approve an annual safety plan of action that primarily focuses on written program updates and providing an employee safety training schedule to follow it. Other items on the plan include regular site safety inspections, safety committee meetings, emergency drills, etc. Suggested plan enclosed.
2. Ensure that each safety committee member receive training on their responsibilities and the revised safety programs as they are updated.
3. Develop a master employee safety-training matrix to determine new and/or current regulatory requirements for employees that need to be trained, and the frequency that refresher training is required (draft enclosed.)

1.0 INTRODUCTION

Du-All Safety was requested to perform a Safety Assessment (Assessment) of its operations by the Town of Discovery Bay Community Services District (Discovery Bay or Town.) The Assessment included a review of activities conducted by employees at Discovery Bay. The Assessment consisted of a review of each site's operations and safety related documentation including programs, policies, inspection records, and accident investigation records. The safety compliance topics that are presented in this Assessment are required by California Occupational Health and Safety Administration (Cal/OSHA) which include the following areas:

Safety compliance topics are presented in this assessment covering the following areas:

- Injury and Illness Prevention
- Hazard Communication
- Emergency Response Contingency Plan
- Hearing Conservation
- Confined Space
- Fall Protection Program
- Ergonomics Program
- Safety Committee Minutes
- Inspections and Audits
- Training Matrix
- Lockout/Tagout
- Chemical Hygiene Plan
- Bloodborne Pathogen
- Respiratory Protection
- Personal Protective Equipment
- Hot Work
- Workplace Violence
- CAL/OSHA 300 Logs
- Accident Investigations
- Employee Safety Training

1.1 PURPOSE

The purpose of this Assessment is to assist Discovery Bay in identifying applicable health and safety regulations and assessing the compliance status to those regulations at the Facility. This Assessment has been prepared at the direction of Discovery Bay and is intended to identify potential health and safety issues that may warrant additional actions and recommended methods to address these potential concerns.

1.2 METHODOLOGY AND LIMITING CONDITIONS

This Assessment focuses strictly on apparent health and safety issues related to the Facility's operations and are not intended to provide a detailed comprehensive discussion of all observed compliance activities. The information and opinions rendered in this Assessment are exclusively for use by Discovery Bay. Du-All Safety will not distribute or publish this Assessment without consent except as required by law or court order. Professional judgments provided are based on the facts currently available within the limits of the existing compliance documentation, scope of work, budget, and schedule. The information provided in this Assessment is not to be construed as legal advice.

The services provided by Du-All Safety in completing this project have been provided in a manner consistent with the normal standards of this type of compliance review. No other warranty, expressed or implied, is made.

2.0 SITE VISIT

A site visit to Discovery Bay was conducted on March 26 and April 18, 2014 and consisted of a meeting with Management, a walkthrough of high hazard areas, discussions with personnel, and a review of safety documentation. The following personnel were in attendance at the Assessment “kick off” meeting:

- Richard Howard, General Manager
- Fairin Perez, Parks & Landscape Manager
- Dina Breitstein, Finance Manager
- Virgil Koehne, Water and Wastewater Manager

The following locations were visited:

- Town Hall and Willow Water Well, 1800 Willow Lake Road
- Community Center and Swimming Pool, 1601 Discovery Bay
- Water Treatment Plant #1, 2500 Channel Road
- Water Treatment Plant #2, 17501 Highway 4

The individuals who participated in the Assessment were cooperative and committed to compliance with safety regulations. Du-All Safety observed and noted potential safety hazards during the walkthrough of the high hazard areas. A copy of an inspection report of specific facility issues noted during the walkthrough is included as an attachment to this report. This inspection was a cursory walkthrough, and was not intended to be a detailed inspection of all safety hazards. The walkthrough and Assessment focused on EH&S regulations as required by the following regulatory agencies:

- Division of Occupational Safety and Health
Administration - California Department of Industrial Relations
Cal/OSHA

3.0 SAFETY PROGRAM REVIEW

3.1 INJURY & ILLNESS PREVENTION PROGRAM

8 CCR §3203. The Injury & Illness Prevention Program (IIPP) is the framework safety program that applies to all workplace environments with ten (10) or more employees. The IIPP outlines the over-all responsibilities and program elements, which applies to all other programs that are task-specific and/or regulation-specific.

Program Elements:

- Current name of person or person(s) with the responsibility and authority for implementing and maintaining the program
- Communication (e.g., safety committee, hazard reports, tailgate meetings, etc.)
- Written safety rules or "Codes of Safe Practice" for each piece of construction equipment and/or construction activity
- Regularly scheduled or "periodic" safety inspections of each area and corrective action documentation
- Accident investigation including root cause analysis, corrective actions, recording & reporting procedures
- Employee training
- Enforcement and recognition procedures
- Recordkeeping

Findings:

1) **Written program**

Issue

Use this for update
The IIPP became effective on Insert September 17, 2008; from all appearances the document has not been revised since and requires revisions. The IIPP addresses some of the program elements, but is lacking specific details and content required of an IIPP. Furthermore, activities onsite did not indicate that the plan as written has been fully implemented since the effective date. Du-All Safety has provided suggestions below to improve the document and shift it from noncompliance status to substantial compliance.

Corrective Actions

- a) Add a revision history log to the program that identifies revision dates and details (i.e. sections that were updated, the date, the person who conducted the update, and if necessary why the update was necessary.)
- b) Add a table of contents and definition page. These pages should be standardized and added to all safety programs.
- c) Responsibility (pages 1): The IIPP identifies the General Manager with the authority and responsibility for the IIPP. Revise the IIPP to clearly identify the responsible personnel with the authority of implementing and maintaining specific elements of the IIPP. Identify their specific responsibilities as they related to the following tasks:

- Safety training
 - Tailgate meetings
 - Periodic safety inspections
 - Accident investigations
 - Record keeping
 - Enforcement & recognition
 - Safety committee.
- d) Management Training: Persons given the responsibility and authority for the areas of safety listed above should receive formal training on their responsibilities (i.e. recordkeeping, accident investigations, required trainings for employees, complete safety program overview, etc.) The Du-All Safety course titled *Safety Responsibilities for Supervisors* should be conducted to satisfy this need.
- e) Compliance (page 2): This section does not address program enforcement. This section may refer to another policy such as the Town’s discipline policy for those that refuse to comply with the provisions of the safety programs and training.
- f) Communication (page 2): States the Town has less than ten employees and as such is exempt from the provision of documented communication. This is no longer the case and this section should be expanded to include a safety committee charter, safety suggestion box, etc.
- g) Hazard Assessment (Page 2): States that inspections are conducted quarterly. Periodic safety inspections are a separate element of the IIPP. Hazard Assessments is associated with the determination of the employee exposures. For example, bloodborne pathogen exposure for Recreation employees or ladder safety for Building Maintenance workers. This section should be revised to document the evaluation and/or assessment of the hazards associated with each job in a matrix format. Safety training matrix DRAFT is provided as an appendix to this report.
- h) Hazard Assessment (page 2): This section does not discuss Construction Safety Orders (CSO) requirement for written Codes of Safe Practices (COSPs) (sometimes referred to as standard operating procedures or safety rules) for all construction activities and equipment. Du-All Safety suggests revising the IIPP to include a reference to the Construction Safety Orders. Conduct a complete inventory of the activities that require COSPs and scheduling them to be developed. The IIPP should provide the definition for “construction” activities as well as determine the groups that occasionally perform “construction” activities (i.e. Facilities Maintenance, Streets, Sewers, and Wastewater Treatment Plant personnel, etc.) The employees performing “construction” activities are required to participate in a tailgate meeting every ten working days to review the hazards associated with construction work in the coming two weeks (concrete grinding, scaffolding, etc.)

THE STATE OF CALIFORNIA DEFINES “CONSTRUCTION” AS OCCURRING “whenever employment exists in connection with the construction, alteration, painting, repairing,

construction maintenance, renovation, removal, or wrecking of any fixed structure or its parts.” (8CCR1500)

It is possible for employees to be governed by those codes titled “Construction Safety Orders” (8CCR Chapter 4 Subchapter 4) during certain activities, and by the “General Industrial Safety Orders” during other portions of the workday. As well as having an IIPP as defined above, there are additional requirements for the IIPP for employers whose employees engage in “construction” activities. Even though most work will not fall under the definition of “construction” activities, some will and should be identified as such in the IIPP.

- i) Periodic Inspections (Page 2 labeled as Hazard Assessment): The IIPP states that inspections are to be conducted quarterly for all operations. There was no documentation provided that this is currently being performed. We advocate that the inspection frequency be annual for low-hazard areas (office, storage areas, recreation center, etc.) and semi-annual for high-hazard areas (corporation yard, chemical storage areas, etc.) Any person conducting inspections should receive formal training (what to look for, codes and regulations, documentation requirements, etc.) There should be a corrective action time-frame included by assigning risk level to each finding. A simple Risk Assessment Class system should be in place with a corresponding correction time-frame. For example:

The Risk Assessment Class is determined as follows:

Class 1 - Critical (may cause death, serious injury, significant environmental impact, or substantial financial loss) and/or is likely to occur soon. Corrective action within the day.

Class 2 - Serious (may cause injury, occupational illness, or environmental or property damage) and/or probably will occur in time. Corrective action within 30 days.

Class 3 - Minor (probably would not significantly affect personnel or environmental safety or health, but is a violation of specific criteria.) Corrective action within three months.

- j) Periodic Inspections (Page 2 labeled as Hazard Assessment): In addition to the above comments, the manufactures of specific equipment (trailers, vactor truck, forklift, etc.) require additional inspection / maintenance frequencies identified in the owner’s manual. Hazardous waste storage areas and emergency response equipment (fire extinguishers, eyewash stations, first aid kits, automated external defibrillators, etc.) also require scheduled inspections. Revise the IIPP to include these inspection frequencies.
- k) Accident/Exposure Investigations (page 3): This section should identify that serious injuries must be reported to Cal/OSHA within 8 hours after management learns of the incident. The following revisions are suggested:
- 1) Management in this case is defined as a supervisor or above.
 - 2) The definition of “serious” should be provided so management can determine if a call to CAL/OSHA is needed.

CAL/OSHA defines a serious injury as: *an injury or illness which requires hospitalization for more than 24 hours for other than medical observation or in which an employee suffers a loss of any member of the body or suffers any serious degree of permanent disfigurement.*

- 3) Contact information for the local Cal/OSHA district office should be listed.
- 4) Recommend a Cal/OSHA calling protocol be listed. Example verbiage could include, “management is to contact the Human Resource office and speak with a live person. Human Resources will then make the call to Cal/OSHA. If management cannot speak with a live person in Human Resources, then they are to leave a detailed message with Human Resources; management is to then make the call to Cal/OSHA.”
- 5) Recommend listing the reporting exemptions, example verbiage could be “a serious injury report is exempt when it is caused by a vehicular accident or happens during the course of a crime (penal code violation.)”
- 6) It should be mentioned that all recordable injuries are to be logged on the address-specific employer OSHA Log 300 within 6 days of the injury.
- l) Training and Instruction (Page 3): A safety-training matrix and annual safety training plan administration should be discussed in this section. Du-All Safety recommends that the safety training matrix and annual training schedule should be administered by a safety committee that meets regularly, no less than quarterly.
- m) Recordkeeping (page 3): The IIPP states that the Town has less than ten employees and as such is exempt from the records associated with the implementation of the IIPP. This is no longer the case and this section should identify the records that are required to be kept for each written program and establish a system for maintaining them.

3.2 CHEMICAL HYGIENE PLAN

8 CCR 5191. Employers engaged in the laboratory use of hazardous chemicals are required to develop and implement a Chemical Hygiene Plan. A few of the elements of the plan include standard operating procedures, control measures, engineering controls and personal protective equipment. The plan establishes provisions for employee training, fume hood compliance, and provisions for medical evaluations.

Program Elements:

- Standard operating procedures
- Control measures, including engineering controls and PPE
- Performance criteria for fume hoods that are compliant with regulations
- Provisions for employee communication and training
- Description of circumstances under which a procedure shall require pre-authorization by the employer
- Provisions for medical consultation and examination

- Designation of a Chemical Hygiene Officer
- Provisions for additional employee protection for work with particularly hazardous substances

Findings:

1) **Applicability and written program.**

Issue

Discovery Bay has a laboratory onsite at Wastewater Treatment Plant 1 and 2. Plant operations are contracted out to Veolia Environmental; as such, employees of Discovery Bay do not work actually in the laboratory. Therefore, the chemical hygiene plan does not currently apply to employees of Discovery Bay.

Corrective Action

- a) No further action is required by Discovery Bay with regards to developing or implementing a chemical hygiene plan.
- b) It is recommended that Discovery Bay obtain confirmation from the contractor verifying that the chemical hygiene plan is in place for their laboratory operations.

3.3 CONFINED SPACE PROGRAM

8 CCR 5156-59. A Confined Entry Space Program is required when employees engage in activities requiring work in and around the hazards inherent of confined spaces. The program is essential to initiate processes and procedures for entering confined spaces and permit required confined spaces. The program details the proper processes and procedures for abating the hazards associated with such work. Typical confined spaces entered by municipal workers include manholes, tanks, and vaults.

Program Elements:

- Written policy and procedures
- Assigned roles and responsibilities
- Classroom and practical training
- Approved equipment, inspection & maintenance
- Entry permits

Label

Findings:

1) **Applicability and written program.**

Issues

Veolia Environmental Services is contracted by Discovery Bay to man and manage the water delivery and wastewater treatment for Discovery Bay. Veolia personnel were not available for interview during this site visit. During a confined space entries performed by Veolia they will follow their own Confined Space Program. This Confined Space Program has not been provided to Du-All Safety for review. When a confined space

entry is to be performed by Veolia, one Discovery Bay employee may or may not observe the process. This Discovery Bay employee is not trained in confined space entry.

Discovery Bay has printed out detailed information regarding the confined space standard and retains the information on file in a binder. The information is accurate and up to date as it relates to confined spaces. However, it is not specific to Discovery Bay's operations as they relate to confined space entry.

Corrective Actions

- a) Obtain a copy of the Veolia Environmental Services Confined Space Program for review.
- b) Provide Confined Space Entry Awareness training to the Discovery Bay employee(s) who would accompany and observe the Veolia confined space entries. The purpose is to be aware of the hazards presented and verify Veolia is performing the entry in a safe manner.
- c) Continue to retain the detailed information regarding the confined space standard. Expand upon the information through the development of a confined space policy or program for Discovery Bay's operations as they relate to confined space entry. If it is the Town's policy that no employee enter a confined space, then that should be simply stated in a policy.

2) Entry Permits.

Issues

Veolia Environmental conducts confined space entries to carry out operations on Discovery Bay equipment and property. In some instances, a Discovery Bay employee is in attendance to observe the entry. Copies of the confined space permits are not provided to Discovery Bay; therefore they were not available for Du-All to review.

Corrective Actions

- a) Obtain a copies of the Confined Space Entry Permits. Ensure the Confined Space Entry Permit contains the appropriate elements required by Cal/OSHA requirements.
- b) Recommend that an annual review of entry permits be conducted.

3) Confine Space Inventory and Hazard Assessments

Issues

Discovery Bay has confined spaces and permit required confined spaces. A town wide inventory of Confined Space Hazard Assessments was not available for review. A confined space inventory is required to identify all potential and associated hazards within the spaces.

Corrective Actions

Obtain copies from Veolia Environmental Services or conduct Confined Space Hazard Assessments of each Discovery Bay confined space. Recommend that the inventory

include a detailed assessment of each type of confined space, potential hazards, and include photo documentation.

4) **Entry Labeling.**

Issues

In conjunction with a confined space inventory and Hazard Assessments all permit required confined spaces are required to be properly labeled in accordance with confined space regulatory requirements. Note: Some confined spaces, such as the water tanks at the well site, are clearly labeled as a confined space.

Corrective Actions

Upon completion of the Confined Space Inventory, verify that confined spaces have been properly labeled. Specifically ensure that each permitted space has a sign or a label that says: "Danger - Permit Required Confined Space Authorized Entrants Only."

5) **Training.**

Issues

Du-All was unable to confirm the status and content of employee training as it pertains to confined space entry. Due to Veolia Environmental Services performing the confined space entries, Discovery Bay employees have not had confined space entry or awareness training.

Corrective Actions

Perform confined space awareness training to Discovery Bay employees who accompany and observe Veolia confined space entries. Ensure all affected employees receive updated training annually.

6) **Self-Contained Breathing Apparatus (SCBA) use.**

Issues

The use of a SCBA in hazardous atmospheres needs to undergo additional review. The Veolia Confined Space Program was not available for review. Thus, the use and training of SCBAs is not known.

Corrective Actions

SCBA use in hazardous atmosphere entry needs further review and specific processes/procedures reviewed/developed ensuring all are in compliance with the Respiratory Protection regulatory requirements.

7) **Equipment status.**

Issues

Equipment inspection, maintenance and recertification/recalibration is not being completed in accordance with manufacturer's instructions and specifications on entry equipment.

Corrective Actions

Discovery Bay does not have any confined space entry or rescue equipment.

8) **Rescue.**

Issues

Veolia Environmental Services was not available during this site visit. Also, the Confined Space Program was not available for review. The written program would indicate the proposed Confined Space Rescue Plan and the contact information. The Discovery Bay contact indicated they would dial 9-1-1 (East Contra Costa Fire Protection District) for rescue services.

Corrective Actions

- a) Obtain a copy of the Veolia Confined Space Program and review the Rescue Plan.
- b) Contact East Contra Costa Fire Protection District and determine their capability and availability to perform Confined Space Rescue.

3.4 **EMERGENCY ACTION PLAN**

8 CCR § 3220 & 3221. The Emergency Action Plan (EAP) addresses emergencies that the employer may reasonably expect in the workplace. Examples are: fire; toxic chemical releases; earthquakes; hurricanes; tornadoes; blizzards; floods; and bomb threats. The purpose of an EAP is to facilitate and organize employer and employee actions during workplace emergencies. Well-developed plans and proper employee training will result in fewer and less severe employee injuries and less structural damage to the facility during emergencies. A poorly prepared plan, likely will lead to a disorganized evacuation or emergency response, resulting in confusion, injury, and property damage

Program Elements:

- Emergency escape procedures and emergency escape route assignments
- Procedures to be followed by employees who remain to operate critical plant operations before they evacuate
- Procedures to account for all employees after emergency evacuation has been completed
- Rescue and medical duties for those employees who are to perform them
- The preferred means of reporting fires and other emergencies
- Names or job titles of person(s) or departments who can be contacted for further information or explanation of duties under the plan

Findings:

1) **Emergency Operations Plan**

Issue

Municipalities are to prepare for emergencies (e.g. medical, fire/explosion, chemical spill, bomb threat, evacuation, natural disasters, floods, and other likely scenarios) that may occur. The Town of Discovery Bay has developed an Emergency Operations Plan (EOP) to address actions that employees are to take in the event of a local/state/federally declared disaster or emergency. The EOP contains many similar elements of an

emergency action; but is lacking specifics that would describe actions for employees to take if an emergency occurred at their facility. Furthermore, the EOP was drafted on 9/5/2012 and requires updates. See recommended corrective actions listed to strengthen the action plan portion of the document.

Corrective Action

- a) Add a revision history log to the program to track annual review and updates.
- b) Add a scope and application section to the document to communicate the fact that the document is to address both community wide disasters and emergencies that are specific to a location.
- c) Add a regulatory reference section to the document to show that it addresses the SEMS standards and CAL/OSHA (8 CCR 3220).
- d) Further describe the evacuation assembly areas for each location on Page 8. For example, for the Town Hall, instead of stating "front of the job site", state "parking lot entrance on Willow Road."
- e) Verify that the personnel contact names and phone numbers listed are current.
- f) Expand upon the areas to inspect that have chemical storage (page 19.) Specifically it is recommended to inspect all generators that have diesel fuel storage and the swimming pool chemical storage area.
- g) Update the Discovery Bay facilities section to include the Community Center.
- h) The fire and explosion plan section should be expanded upon to include who is permitted to use the fire extinguishers.
- i) HazMat Operations plan requires additional information such as spill reporting procedures, locations of spill clean materials, and descriptions as to who is authorized to clean up spills.
- j) Recommend to add action plan procedures to address bomb threats, medical emergencies, and power outages.

*CC action plan?
see B.O.S.*

2) Emergency Action Plan – Swimming Pool

Issue

The Parks and Landscape Manager prepared an emergency action plan for the community center. A copy of the plan was briefly reviewed; however the review was not sufficient to make substantial comments.

Corrective Action

Provide Du-All Safety with a copy of the emergency action plan for the swimming pool to review and comment.

3) Evacuation assembly areas and maps

Issue

The Town has posted evacuation maps at facility entrance/exits.

Corrective Action

No corrective action necessary

3.5 ERGONOMICS PROGRAM

8 CCR 5110. An ergonomics program addresses the significant risk of work-related musculoskeletal disorders (MSDs) confronting employees in various workplaces. Elements typical of successful ergonomics programs include: management leadership and employee participation, job hazard analysis and control, hazard information and reporting, training, MSD management, and program evaluation. Mandatory implementation of a program will depend on the types of jobs in the workplace and whether a musculoskeletal disorder covered by the standard has occurred. Employers are required to implement a written ergonomics program if the facility has had two or more repetitive motion injuries in a 12-month period by employees performing a similar job.

Program Elements:

- Recommend written program
- Control of exposures
- Worksite evaluation
- Employee training

Findings:

1) Written Program.

Issue

Discovery Bay has not had two or more repetitive motion injuries in a 12-month period by employees performing a similar job. Therefore a written program is not required. Discovery Bay may benefit from developing and implementing such a program to continue to prevent such incidents from potentially occurring in the future.

Corrective Action

An ergonomics written program is suggested to evaluate the workplace to further prevent and reduce the likelihood of ergonomic related injuries. The program should address the elements noted above.

2) Ergonomic Evaluations.

Issue

Employees are required to sit for long periods of time typing, using a computer and answering phones. These activities often involve repetitive motions that over time may cause injury. Ergonomic evaluations have not been conducted for employees to ensure that they are working in the safest manner ergonomically.

Corrective Action

It is recommended that individual employees be offered work station ergonomic evaluations so that they are more comfortable and less likely to have an ergonomic related injury.

3) Ergonomics Training.

Issue

A training manual with general information regarding ergonomics in the office environment was provided for review. The material provided is a good general training

on ergonomics for office employees. Based on information provided to Du-All, it did not appear that all employees reviewed the training material.

Corrective Action

It is recommended that all employees participate in ergonomic training. When possible, employees should be given the option to attend a hands on training where they can learn how to set up their work stations to be utilized in a safe manner.

3.6 EXPOSURE CONTROL PLAN/BLOODBORNE PATHOGEN PROGRAM

8 CCR 5193. Bloodborne pathogens are pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include, but are not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV.) Employers are required to develop and implement an Exposure Control Plan for employees who may have occupational exposure to blood or other potentially infectious materials (OPIM.) This written plan is designed to prevent or minimize employees' occupational exposure.

Program Elements:

- Exposure determination - A list of all job classifications in which all employees in those job classifications have occupational exposure; a list of job classifications in which some employees have occupational exposure; and a list of all tasks and procedures or groups of closely related task and procedures in which occupational exposure occurs and that are performed by employees in the job classifications listed
- The schedule and method of implementation for each of the applicable subsections: Methods of Compliance, Hepatitis B Vaccination and Post-exposure Evaluation and Follow-up, Communication of Hazards to Employees, and Recordkeeping
- The procedure for the evaluation of circumstances surrounding exposure incidents
- An effective procedure for gathering the information required by the Sharps Injury Log
- An effective procedure for periodic determination of the frequency of use of the types and brands of sharps involved in the exposure incidents documented on the Sharps Injury Log
- An effective procedure for identifying currently available engineering controls, and selecting such controls, where appropriate, for the procedures performed by employees in their respective work areas or departments
- An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

Findings:

1) Written program.

Issues

Du-All Safety reviewed the Bloodborne Pathogens Exposure Control Plan for Discovery Bay CSD. The program as written meets the requirements outlined in Federal OSHA regulation 29 CFR 1910.1030. However, the program is lacking in that it does not

specifically, address CAL/OSHA regulations. Recommended revisions are described below.

Corrective Actions

- a) There is no section discussing Sharps Injury Log as outlined in Title 8 CCR Section 5193(c)(2). Develop an effective procedure for gathering the information required by the Sharps Injury Log.
- b) Develop an effective procedure for periodic determination of the frequency of use of the types and brands of sharps involved in the exposure incidents documented on the Sharps Injury Log.
- c) Revise section 5 to state the Hep B vaccine is offered within 10 days of initial assignment (8 CCR 5193 (f) (2) (A)).
- d) This program is to be reviewed annually. There is no date indicating when this program was developed or reviewed. Recommended that a revision history log be added to the front of the program to track annual program reviews and applicable changes.

3.7 FALL PROTECTION PROGRAM

8 CCR 1602-1672, 3200-3215, & 3636-3657. The Fall Protection Program addresses, assesses, and minimizes the fall hazards within job categories, work duties, and equipment used while working at elevated heights and locations. Employers engaged in leading edge work, precast concrete construction work, and new construction work are required to develop and follow a fall protection plan under specific circumstances. Generally, fall protection protocols apply to employees working at elevated heights from ladders to skyscrapers.

Program Elements:

- Identification of key people
- Inventory and assessment
- Assigned roles and responsibilities
- Regulatory requirements
- Written process and procedures
- Approved equipment, inspection, maintenance
- Training and certification

Findings:

1) Assessments.

Issues

Discovery Bay has elevated work areas including roofs, tanks, and boom lifts. Generally, employees are not expected to work at these locations. However, the facility has not

conducted fall hazard assessments or an inventory of elevated work site locations which would serve to identify all areas that employees are not to access.

Corrective Actions

Complete fall hazard assessments to identify the elevated site locations. Within the assessment, assign duties and responsibilities for employees. If employees are not to access certain areas (i.e. the top of a water tank), then the assessment should state this.

2) Written Program

Issues

Discovery Bay employees conduct work that requires them to be in areas that necessitate the use of fall protection. Specifically, employees use a boom lift and access ladders. No written program was provided to Du-All for review that described the fall protection procedures.

Corrective Actions

Du-All recommends that a fall protection program or codes of safe practice be developed. The level of detail in the program will be dependent on the extent that employees will be working at heights.

3) Training

Issues

No training records were identified for training regarding working at elevated heights requiring fall protection.

Corrective Actions

Conduct fall protection training for affected employees.

4) Equipment status

Issues

The wastewater treatment plant had fall protection equipment (harnesses) available onsite for employees to use. Site management indicated that the equipment observed was specific to the contractor, Veolia. No records were available that documented that the equipment had undergone the required inspections.

Corrective Actions

Inspect fall protection equipment in accordance with Cal/OSHA requirements.

3.8 HAZARD COMMUNICATION

8 CCR § 5194. This written program provides employees with information regarding hazardous substances in the workplace and outlines the measures they may take to protect themselves from the hazards associated with these materials. This program should be reviewed and updated periodically to reflect changes and new hazards associated with the materials in each area. Each facility's chemical inventory also needs to be reviewed and updated periodically. This program requires employees to be trained on hazardous substances in their work area at time of initial assignment and whenever a new hazard is introduced into their work area.

Program Elements:

- An explanation of employee rights
- A complete chemical inventory, regardless of quantity
- Complete set of safety data sheets (SDSs) for each chemical onsite
- Container management - including labeling, storage and handling requirements
- Personal protective equipment (PPE) requirements
- Basic toxicology and routes of entry into the body
- Employee training covering the written program, chemical inventory, SDSs, container management, physical and health hazards

Findings:

1) Written Program

Issue

Employees use and are exposed to hazardous chemicals. Chemicals include flammable materials (gasoline, diesel fuel), corrosive materials (sodium hypochlorite, muriatic acid), and toxic materials (detergents, disinfectants, herbicides). Discovery Bay provided a Hazard Communication Program for review. The program includes all of the elements required by the standard, but is lacking specific details to be in full compliance. See corrective action below for areas that require improvement.

Corrective Action

- a) Add a revision history log to the program to track annual reviews and periodic updates.
- b) Add a scope and application section to the document which employees the program applies to. For example, the program may not be applicable to administration personnel who do not encounter chemicals, but is applicable to Building Maintenance.
- c) Add a regulatory reference section to note which regulations that the program is written to. I.e. 8 CCR 5194.
- d) The document has multiple references throughout to "company." The reference of a company is generally reserved for private business. Revise the document so that the Discovery Bay is referenced appropriately. For example, the verbiage "Agency," "Town," or "Facility" would be appropriate.
- e) The responsibilities section is complete. No corrective action recommended.
- f) The labeling requirements section requires updating by June 1, 2016 to meet the updated hazard communication standard that includes the Globally Harmonized System for Hazard Classification and Labeling. Specifically, additional elements should be added to what employees are to look for on label such as signal words, pictograms, and hazard statements.
- g) The program addresses proposition 65 on page 4. Public agencies are exempt from the proposition 65 standard. This section can be removed from the document.

- h) The safety data sheet section appears to be generic and does not fully describe the Town's method for obtaining and using safety data sheets. For example, the section states that there is a process in place to obtain sheets, but it does not describe the process. Furthermore, the section should be revised use the verbiage "safety data sheet" instead of "material safety data sheet."
- i) The tables for hazardous non routine tasks and the chemical inventory section were blank. Fill out both tables completely.

2) Chemical Inventory

Issue

Hazardous chemicals are both used and stored at the Booster Pumps at Town Hall, Wastewater Treatment Plants 1 and 2, Community Center (janitorial) and swimming pool. A chemical inventory that includes a description of the hazardous chemicals and the location of where it is used and/or stored is required. The chemical inventory provided in the hazard communication program was blank.

Corrective Action

Conduct and document a comprehensive chemical inventory that includes all hazardous substances used or stored at each facility. Consumer type products used in a consumer quantity are exempt. Include in the inventory the name of the hazardous chemical, and the area it is primarily used and/or stored. The inventory is to be updated as new chemicals are introduced into the workplace.

3) (Material) Safety Data Sheets (SDS)

Issue

Du-All Safety conducted a spot check to see if material safety data sheets were available for the pool chemicals. The material safety data sheets were readily available and accurately reflected the materials onsite, but may not have been the most current version developed by the manufacturer. Management indicated that material safety data sheets were available for other materials onsite as well.

Corrective Action

Upon completion of the chemical inventory, ensure that there is a current MSDS for each hazardous substance. Archive MSDSs for materials that are no longer used. Maintain records of chemicals that were used for 30 years (e.g archive MSDSs for 30 years). Note: Manufactures are required to issue updated safety data sheets by June 1, 2015 to include information consistent with the Globally Harmonized System for Hazard Classification and Labeling.

3.9 HEAT ILLNESS PREVENTION PROGRAM

8 CCR 3395. The Heat Illness Prevention Program establishes processes and procedures to control the risk of occurrence of heat related illnesses in the workplace. Highlights of the program include procedures for water replenishment, employee access to shade, and emergency response protocols. California requires a written program for outdoor places of employment.

Program Elements:

- Provision of water and access to shade
- The importance of acclimatization
- Recognition of signs and symptoms of heat related illnesses
- Recovery periods
- Emergency medical notification
- Manager, Supervisor, and Employee training

Findings:

1) Written Program

Issue

Du-All Safety reviewed the Discovery Bay Heat Stress Safety Program (Heat Illness) and found that it not only meets the required standard of 8 CCR 3395, but through its customized addition of specific "Heat Stress Manager" and "Heat Stress Supervisors" roles and responsibilities it exceeds the required standard.

The plan also includes a Heat Stress Emergency Plan and explicitly identifies the responsibilities of supervisors.

Corrective Action

- a) Expand the program to ensure that it covers all outdoor areas.
- b) Conduct specific employee/supervisor/management training for Discovery Bay employees to review the detail level of responsibilities described in the program. In addition to the standard heat illness training, topics for supervisors should include:
 - I. Weather Forecasting and planning procedures.
 - II. Team meeting preparation.
 - III. Acclimatization training.
 - IV. Basic Adult 1st Aid/CPR/AED.

3.10 HEARING CONSERVATION PROGRAM

8 CCR § 5099. Employers are required to protect employees against the effects of noise exposure. An effective hearing conservation program must be implemented whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels measured on the A-scale (dba) or, equivalently, a dose of fifty percent. Employees enrolled in the hearing conservation program will be required to undergo baseline and annual audiometric testing. A noise survey of work areas and equipment is essential to determine the hearing protection and program needs.

Program Elements:

- Written policy and procedures
- Noise assessment and identification
- Personal protective equipment
- Employee baseline and annual audiograms
- Employee training

Findings:

1) Applicability and Noise Survey.

Issue

Discovery Bay has operations that exposed employees to noise levels that could necessitate a hearing conservation program. Some of the areas (i.e. air compressors, Booster Pump Room, Equipment at Plant 2) have signage posted that reads "hearing protection required;" employees also use equipment such as chainsaws and lawn mowers that usually operate at a decibel level above 85 dBA. Discovery Bay has not conducted a noise survey to determine the exposure of individual employees or work groups.

Corrective Action

Conduct noise surveys and determine the duration of exposure to each employee of noise levels greater than 85 dBA.

- a) If the noise levels and exposure times meet the requirements for a hearing conservation program (above 85 dBA for 8 hours;), then develop and implement a hearing conservation and provide applicable training. Baseline and annual audiograms will also be required (see below.)
- b) If noise levels and employee exposure duration do not meet the requirement for a program, then document the findings in a memorandum and file in for future reference. Continue to post signage in areas that are above 85 dBA and provide employees with hearing protection for their intermittent use.

2) Written program

Issue

No written hearing conservation program was available for review.

Corrective Action

If employees exposure is above the 85 dBa for an eight hour time weighted average then develop a hearing conservation program. If the exposure is determined to be less than 8 hours, then include hearing protection requirements in the Town's personal protective equipment policy.

3) **Baseline and annual audiograms**

Issue

Audiograms are not being conducted for employees of Discovery Bay. Hearing protection requirements have not been fully established by the Town. As a result, the need/or requirement to conduct baseline and annual audiograms has not been determined.

Corrective Action

If results of noise survey indicate that a hearing conservation program is required, then begin conducting audiograms. All affected employees should have a baseline audiogram (for new hires this should be done at initial assignment) and annually thereafter. Audiogram results are to be shared with employees.

3.11 **HOT WORK PROGRAM**

8 CCR 4848. This program is intended to prevent accidental fires from being started by the performance of hot work. Hot work is any work involving gas or electric welding, cutting, brazing, grinding, or other similar operations that produce spark or flame. Hot work does not include electric soldering irons, or cooking operations. Title 8 also incorporates by reference the American National Standards Institute ANSI Z49.1: 1999, "Safety in Welding, Cutting and Allied Processes," and the National Fire Code 51B.

Program Elements:

- General description of fire protection during hot work
- Requirement that all work be done either in a designated area or by permit
- Definition of requirements for a designated hot work area
- Hot work permit and identification of the Permit Authorizing Individual(s)
- Description of fire watch
- Record retention requirements

Findings:

1) **Applicability and Written Program.**

Issues

Employees conduct hot work operations. Specifically, welding equipment (oxygen and acetylene torch) was observed at the Plant 1 and management stated that employees produce sparks when cutting bolts in the field. No written program has been developed identifying program elements and regulatory requirements.

Corrective Actions

It is recommended that a comprehensive written hot work program including, a permit system meeting the requirements for all of the respective regulatory agencies, be developed and that the program be implemented through training.

2) **Permit and dedicated hot work areas**

Issues

Employees conduct hot work activities. Activities may be conducted at the Plant or in the field. Specific areas have not been designated for hot work, nor has a permit system been implemented to ensure that hot work is being performed in the safest means possible to prevent fires from occurring.

Corrective Actions

Develop and implement a hot work permit system. Instruct employees how to fill out the permits, and retain copies of the permit for a period of 1 year. Alternatively, limit all hot work to a designated area that has been determined to be safe for hot work activity (i.e. free of combustibles and fire extinguisher with 10 feet.)

3.12 **LOCKOUT / TAGOUT PROGRAM**

8 CCR § 2320.4 & 3314. This program covers the service and maintenance of machines and equipment in which the unexpected energization or start up of the machines or equipment, or release of stored energy could cause injury to employees. This standard establishes minimum performance requirements for the control of such hazardous energy. For example, if equipment is under maintenance, repair, or is otherwise unsafe to use, it must be “locked” and “tagged out” to render it safe and inoperable.

Program Elements:

- Lock and tag devices used
- Procedures for applying and removing locks and tags
- Temporary removal and emergency removal procedures
- Tagout-only procedures
- Equipment-specific written procedures for *each* machine unless exempt
- Annual program review

Findings:

1) **Written Program**

Issue

Activities performed by personnel indicate that Lockout Tagout (LOTO) functions are performed primarily by contractors; however building maintenance personnel have the potential to perform LOTO. No written LOTO was provided for review.

Corrective Action

Develop a written LOTO program or policy. Include within the program the individuals responsible for the implementation of the LOTO program. It is recommended that specific employee positions or actual employee names be inserted into the program.

2) Equipment Specific Procedures

Issue

No written equipment specific procedures were provided for review. Discovery Bay has equipment and machines onsite that require specific procedures to shut down. Under most circumstances, a contractor would be responsible for the shut down and ultimate LOTO function. However, the Town should have access to the procedures in the event that the contractor is not accessible.

Corrective Action

Write equipment specific LOTO procedures. Develop a standard format so that employees may write additional procedures when new equipment is purchased or placed in service. Ensure that the contractor onsite is familiar with the location of the procedures so that they may access them when needed. Note: If the contractor has already developed the procedures, then management may simply obtain a copy from them.

3) Training

Issue

No training records for the topic LOTO were available for review. Employees are not anticipated to conduct significant LOTO of equipment. The level of LOTO anticipated includes shutting off a breaker or unplugging of power tools.

Corrective Action

After completion of the development of the LOTO program or policy, conduct employee training that is program specific. It is recommended that employees receive, at a minimum, the awareness level of training on LOTO.

3.13 PERSONAL PROTECTIVE EQUIPMENT POLICY (PPE)

8 CCR § 3380, 3382, 3383, 3384, 3385. The PPE policy determines what PPE (safety glasses, safety shoes, gloves, etc.) are to be worn by which group of employees under what circumstances. The policy requires PPE be provided at no additional cost to the employees and indicates the frequency in which PPE can be obtained.

Program Elements:

- Responsibilities
- Hazard assessment and PPE selection
- Protective devices
- Inspection & maintenance of PPE
- Storage of PPE
- Training
- Recordkeeping

Findings:

1) Written Program

Issue

Discovery Bay employees are required to wear personal protective equipment (PPE) to perform certain job functions. PPE, including work boots, gloves, safety glasses, uniforms, hearing protection, etc. are provided at no cost to employees. No written program or policy was submitted for review.

Corrective Action

Develop a PPE policy that addresses each of the program elements listed above. Upon completion of the program, train all affected employees.

2) PPE Hazard Assessments

Issue

Employees conduct activities that require the use of PPE such as handling hazardous materials, grinding, sawing, landscaping, building maintenance, etc. No completed hazard assessments were provided for review.

Corrective Action

Conduct PPE assessments (i.e. hazard assessment) to identify what type of PPE is required when performing each job duty and/or when using each piece of hazardous equipment. The assessment must include the area assessed, date, and name of the person who performed the assessment. Communicate findings of each assessment to affected employees.

3.14 RESPIRATORY PROTECTION PROGRAM

8 CCR § 5144. The standard requires the employer to designate a program administrator who is qualified to implement the program. The employer must identify and evaluate respiratory hazards in the workplace. Employees must be fit tested annually with the respirators they will be using. Prior to being fit tested all employees must undergo a medical evaluation by a physician (or other professionally licensed healthcare provider). As part of the medical evaluation, it is strongly recommended that employees undergo pulmonary function testing.

Program Elements:

- Proper respirator use
- Cartridge selection for materials used
- Cartridge life determination
- Permissible exposure limits
- Cleaning and storage of requirements
- Medical testing, fit testing, and access to medical records

Findings:

1) **Written Program.**

Issue

Employees wear N95 filtering face pieces and some individual employees have chosen to wear NIOSH approved tight fitting respirators to protect against dust, fumes, and vapors that they may come in contact with during the course of their job duties. No written program was available for review.

Corrective Action

Develop a written Respiratory Protection Program for the employees who wear respirators during the course of their duties and/or as voluntary use. Include written procedures and methodologies for determining containment concentrations and what constitutes normal work conditions. Provide employees who voluntarily wear respirators (including N95 masks for nuisance dust) with information provided in 8 CCR 5144 Appendix D.

2) **Medical Evaluations.**

Issue

Employees wear N95 respirators for situations other than nuisance dust. No medical evaluations have been conducted to determine if they are medically fit/cleared to wear a respirator.

Corrective Action

All employees who wear a respirator (excluding dust masks or N95 filtering face pieces when used for nuisance dust) are required to be medically evaluated by a physician or a licensed health care professional (PLHCP.) The Facility can use the CAL/OSHA medical questionnaire and submit them to PLHCP for review.

3) **Fit Testing.**

Issue

Employees wear NIOSH approved N95 respirators.

Corrective Action

For those who are required to wear respirators they are to be fit tested on each respirator that they are assigned. Fit testing is to be conducted annually. Fit testing is not necessary for those who voluntarily wear the respirator.

4) **Training.**

Issue

Training records did not indicate the respiratory protection training had been conducted.

Corrective Action

Conduct employee training on respiratory protection and repeat the training annually.

3.15 **WORKPLACE VIOLENCE**

8 CCR 3203. A Workplace Violence program should be developed under the general guidelines of the Injury and Illness Prevention Program if the employer has determined that workplace violence is a potential safety hazard. The policy establishes the responsibilities of managers, supervisors, and employees with regard to incidents involving workplace violence.

Elements:

- Responsibilities of managers and supervisors in training employees on procedures to follow if they are a witness to or victim of workplace violence
- Investigation procedures into claims of workplace violence
- Practices that are prohibited by employees such as threats or bringing certain weapons to work
- Procedures to protect employees from retaliation

Findings:

1) **Written Program**

Issue

Discovery Bay did not provide written program or policy for review. Employees work with the general public for a variety of matters, some of which may cause people to become unfriendly. Additionally, the potential for violence among employees is also a possibility.

Corrective Action

A workplace violence policy is suggested. The program should address the elements noted above. Employee training is to be conducted in compliance with policy.

4.0 **EMPLOYEE SAFETY TRAINING**

Quality safety training for employees is a key element of an effective safety program. Training needs to be the consistent and ongoing to meet employees' needs. Safety coordinators and supervisors need to be trained on their responsibilities and the rights of the employees. Individual employee plans mentioned in the previous sections each have a training component. In addition to these program training requirements, the following is a list of classes that are required for certain operations, but are not required to have written programs.

- Department of Transportation (DOT): Employees responsible for operating certain regulated vehicles need to be properly trained and licensed, and their supervisors must also have specific training.
- Hazardous Waste: Personnel who handle hazardous waste have mandatory training requirements, with annual refresher training.
- Forklift Training: Power Industrial Trucks are required to be conducted.

- First Aid/CPR/AED: This training must be provided to some employees if a medical facility or other emergency medical assistance is not in near proximity to the workplace or worksite.
- Earth moving equipment, lawn mowers, back hoes, etc.
- New Employees: New employees should be trained before they are assigned to high-hazard work. New employee safety orientation material should include overviews of all of the environmental health and safety programs in the departments and the persons to contact (safety coordinators) for more information on it.
- Codes of Safe Practice: The “Code of Safe Practices” is part of this training for work that is regulated under California’s Construction Safety Orders.

Findings:

1) **Training Matrix**

Issue

Employees are exposed to different hazards and as such are required to have different types and levels of training. Records provided for review did not include a detailed list of trainings that are required for each employee or work group.

Corrective Action

Recommend that a training matrix be developed to summarize the required training for each employee or work group. Du-All Safety has attached a draft training matrix to this report that can be adopted.

2) **Recordkeeping**

Issue

The Parks and Landscaping Manager has records that indicated that employee training is being conducted on a regular basis for her work group. The records included sign in sheets and certifications summarizing employee attendance. Recordkeeping was lacking for other work groups.

Corrective Action

Continue to maintain copies of certifications awarded from trainings and training rosters. Expand upon the organization of training records to the other work groups.

5.0 ENVIRONMENTAL COMPLIANCE

The safety assessment is limited to those programs that primarily fall under the jurisdiction of Cal/OSHA. However, many programs that are part of environmental compliance also have components to them that overlap with safety. As such, it is important for those who are responsible for safety compliance to also be aware of the environmental compliance, particularly when there is overlap. Upon request, Du-All Safety can conduct an Environmental Assessment to determine the compliance status for Discovery Bay operations. The following is a list of environmental compliance programs that are applicable to current operations.

Clean Air Act (CAA), Air Permit Compliance: Facilities that generate emissions regulated by the local air district (Bay Area Air Quality Management District or BAAQMD) (e.g. back-up power generators, laboratory chemicals, paint booths, gasoline tanks, etc.). **The Town has standby generators require air permits.**

Hazard Communication (employee Right to Know): Facilities where the employees are exposed to hazardous materials as part of their job. *See Section 3.8.*

Hazardous Materials Business (or management) Plan (HMBP or HMMP): Facilities that use/store regulated materials in quantities equal to or greater than 55 gallons for liquids, 200 cubic feet for gases and 500 pounds for solids. *The Town Hall yard, swimming pool, and wastewater treatment plants have materials above the reporting threshold.*

Hazardous Waste Management Program (Resource Conservation and Recovery Act (RCRA)): Facilities that generate hazardous waste. *The Wastewater Treatment Plant generates hazardous waste.*

6.0 CONCLUSION

The safety assessment for the Town of Discovery Bay Community Services District written programs identified areas of compliance that need improvement and/or revision. Meeting and sustaining compliance will involve continually updating the identified written programs, employee training, and routine inspections to identify and correct hazards. Du-All Safety recommends that Discovery Bay develop and approve a plan of action to address the findings in this assessment to aid in reaching its safety compliance goals. Du-All Safety has provided a draft plan of action to assist in this process. The draft plan of action is included (Attachment 3).

**ATTACHMENT A
FACILITY INSPECTION REPORT**



Town of Discovery Bay Safety Inspection

Report Date: April 23, 2014

Date of Inspection: March 26, 2014

Locations Inspected: Town Hall and Willow Water Well, 1800 Willow Lake Road
Community Center and Swimming Pool, 1601 Discovery Bay
Water Treatment Plant #1, 2500 Channel Road
Water Treatment Plant #2, 17501 Highway 4

Point(s) of Contact: Virgil Koehne, Water and Wastewater; Farin Perez, Parks and Landscape

Inspected By: Terry McCarthy, and Joe Moulton, CHMM, Du-All Safety

In accordance with Discovery Bay's desire to maintain a safe work environment, a safety inspection and work crew audit was made of the facility(s) on the above date. Areas not in compliance have been indicated. A photo of the hazard may also be included. All items are non-serious OSHA items unless noted. Items reported fall under one of the following: The Injury and Illness Prevention Program, Uniform Building and Fire Codes and Insurance Safety Rules and Guidelines, and CAL/OSHA regulations. These conditions require corrective action so as to ensure a safe and healthful workplace for employees and employer, and in some cases for the public.

This report is based upon the information, conditions, policies, and practices observed and provided at the time of the visit by Du-All Safety. The report may not list all unsafe conditions and practices on the premises; others may exist that were not observed at the time. The inspection/survey activities or any recommendations in this report are designed to assist management of their own safety/environmental activities.

The following Risk Assessment Classes were used to rate the hazards or violations identified during the safety inspection:

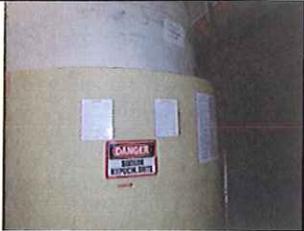
Risk Assessment Class

Class 1 - Critical (may cause death, serious injury, significant environmental impact, or substantial financial losses) and/or is likely to occur soon.

Class 2 - Serious (may cause injury, occupational illness, or environmental or property damage) and/or probably will occur in time.

Class 3 - Minor (probably would not affect personnel or environmental safety or health, but is a violation of specific criteria or best management practice).

Item	Finding/Recommendation	Photo	Risk Class	Initial & date
Town Hall and Water Well				
1.	Well Area: Water Well at the Town Hall is treated with sodium hypochlorite via an injection system. The system/tubing that injects the sodium hypochlorite is not clearly label. Label or otherwise identify the tubing/piping that as containing sodium hypochlorite.		3	
2.	Pump Building (outside): Emergency eyewash/shower is required within 10 seconds of potential exposure to corrosive materials. Units should be maintained in accordance with industry standards and inspections of each unit are to be documented monthly. The tag attached to the unit at the Pump Building was last marked on July 9, 2013. It is recommended that the tag be used to document future monthly inspections.		3	
3.	Pump Building (outside): Empty containers are permitted to accumulate onsite for up to 1 year. To track the length of time a container is onsite, the regulations require that the date on which the container was emptied be noted on the container. Add the date emptied to each of the empty sodium hypochlorite containers		3	
4.	Pump Room: The air compressor is to be issued a permit by the CAL/OSHA pressure vessel unit. Permits are typically issued at five year intervals and are to be posted behind glass on a wall near the unit. No permit was available for review for the air compressor unit inside the Pump Building. Contact the CAL/OSHA pressure vessel unit office to schedule an inspection to obtain the permit (see below). Northern Office Oakland Pressure Vessel District Office 1515 Clay Street Suite 1622-A Oakland, CA 94612 (510) 622-3066 FAX (510) 622-3063 Email: capvinsp@dir.ca.gov		2	

Item	Finding/Recommendation	Photo	Risk Class	Initial & date
5.	<p>Booster Pump Room: The Booster Pump Room is classified by the Uniform Fire Code and Building Code as an "Equipment Room". As such, combustible materials are prohibited from being stored in the room unless they are directly related to function of the room. It is recommended that the storage boxes and pallets of water be removed from the booster pump room.</p> 		2	
6.	<p>Booster Pump Room: Corrosion has built up on the valves and fitting. Recommend to remove the corrosion and inspect fitting to ensure that the integrity has not been compromised. If necessary, replace fittings.</p>		2	
7.	<p>Booster Pump Room to Tank Room: Extension cords are prohibited from being used in place of permanent wiring or being ran through doorways. Du-All observed extension cords ran from the pump room through a doorway into the tank room. Recommend to discontinue this practice.</p>		2	
8.	<p>Tank Room: Containers of hazardous materials are required to be clearly marked with contents and hazard warning. Labels are to be legible to entrants to each area. The drums in the tank room are labeled, however the labels are facing the wall. Arrange the 50 gallon drums of sodium hypochlorite such that the labels are facing out.</p>		3	
9.	<p>Tank Room: All piping and lines are to be labeled with the contents and direction of flow ever 20 feet. The flexible tubing for the sodium hypochlorite is unlabeled. Label lines/tubing containing sodium hypochlorite with their contents and the direction of flow.</p>		3	

Item	Finding/Recommendation	Photo	Risk Class	Initial & date
Swimming Pool and Community Center				
10.	Swimming Pool Chemical Area: Acids and bases require separation to prevent accidental mixing in the event of a spill. The hydrochloric acid and sodium hypochlorite were observed stored in close proximity. Separation can take form by distance (at least 20 feet) or an impermeable barrier. Take precautions to avoid allowing the two materials to be stored next to each other.		2	
11.	Swimming Pool Chemical Area: Emergency eyewash and shower stations that provide for 15 minutes of continuous flow are required within 10 seconds (travel time) of each area where there is a potential dermal or eye exposure to corrosive materials. Muriatic acid and sodium hypochlorite are used at the pool. The station at the chemical area is insufficient (limited to two bottles). Install eyewash/shower station that provides 15 minutes of flow for the chemical storage area.		2	
12.	Swimming Pool Chemical Area: Employers are required to provide a work environment free of recognized hazards. The integrity of the ceiling in the chemical storage area is leaking water and appears to be compromised. Recommend that the ceiling be repaired.		2	
13.	Community Center Building: Employers are required to provide a work environment free of recognized hazards Trip hazard observed on ground from the pool deck area to inside the building (uneven concrete). Ramp the concrete to abate the trip hazard.		3	
14.	Community Center Break Room: Food, beverages, and food preparation appliances (microwaves, fridges, etc.) are prohibited from sharing the same spaces as hazardous materials. Janitorial supplies are being stored in the same room that has been employee break room. Discontinue the practice of using/storing chemicals near food preparation equipment or in areas designated for eating.		2	

Item	Finding/Recommendation	Photo	Risk Class	Initial & date
Plant #1				
15.	Plant #1: Flammable cabinet doors must be well fitted, self-closing and have a three-point latch. Storage cabinets at the Plant are not self closing. Convert flammable storage cabinet so that the door self closes. Note: the cabinets that do not store flammables are not required to be self closing.		3	
16.	Plant #1: Pesticide/herbicides are being stored in cabinets at the Plant. Label the exterior storage area for the round up as a pesticide storage area.	NA	3	
17.	Plant #1: A flammable storage cabinet is being used to store materials that are not flammable. Remove "flammable" label on the cabinet that does not contain any flammables.	NA	3	
18.	Plant #1: Emergency eyewash and shower stations that provide for 15 minutes of continuous flow are required within 10 seconds (travel time) of each area where there is a potential dermal or eye exposure to corrosive materials. Lead acid batteries are being charged at the Plant. Install eyewash/shower station that provides 15 minutes of flow within 10 seconds of the battery charging area.		2	
19.	Plant #1: The air compressor is to be issued a permit by the CAL/OSHA pressure vessel unit. Permits are typically issued at five year intervals and are to be posted behind glass on a wall near the unit. No permit was available for review for the air compressor unit inside the Maintenance Building. Contact the CAL/OSHA pressure vessel unit office to schedule an inspection to obtain the permit (see below). Northern Office Oakland Pressure Vessel District Office 1515 Clay Street Suite 1622-A Oakland, CA 94612 (510) 622-3066 FAX (510) 622-3063 Email: capvinsp@dir.ca.gov		3	

Item	Finding/Recommendation	Photo	Risk Class	Initial & date
20.	Plant #1: Tools such as the bench grinder and drill press are required to be mounted to prevent creeping during use. Additionally, anti-slip surfaces are required in front of the units. Mount grinder and drill press to the ground. Install a non-slip surface or mat.		2	
21.	Plant #1: Fire extinguishers are to mounted to wall. Mount extinguisher that was observed on the ground in the shop.		3	
Plant #2				
22.	Plant #2: Forklift are required to be inspected prior to each shift. Documentation was not available at time of inspection to show that this action has been completed. Conduct/document pre-shift inspections of the forklift. Recommend that the inspection record be attach to the forklift			
23.	Plant #2: The forklifts observed onsite are powered by propane, a flammable gas ambient pressure. As such, a fire extinguisher is required to be within 50 feet of the forklift. To ensure that an extinguisher is always within the proper distance, it is recommended that one be attached to the forklift itself. Install fire extinguisher on the forklift.			
24.	Plant #2: Flammable cabinet doors must be well fitted, self-closing and have a three-point latch. Storage cabinets are the Plant are not self closing. Convert flammable storage cabinet so that the door self closes. Note: the cabinets that do not store flammables are not required to be self closing.			

End of Report

ATTACHMENT B
DRAFT SAFETY TRAINING MATRIX

Town of Discovery Bay

DRAFT Safety Training Matrix

		Administration	Landscaping	Recreation	Water (Veolia)	Wastewater (Veolia)	Building Maintenance	Pool Maintenance	Lifeguards	Supervisors*
Revised: April 30, 2014										
Bloodborne Pathogens - 8 CCR 5193	AT,W		X	X	X	X	X	X	X	X
Confined Space - 8 CCR 5157-5158	I,AO,W				X	X				
CPR/AED - 8 CCR 3400	B	X	X	X	X	X	X	X	X	X
Fire Extinguisher (Portable) - 8 CCR 6151	AT	X	X	X	X	X	X	X	X	X
First Aid - 8 CCR 3400	B		X	X	X	X	X	X	X	X
Hazardous Waste Management - 22 CCR 66264.16	AT					X				
Hearing Conservation - 8 CCR 5095	AO,AT,W		X		X	X	X			
Heavy Equipment (Earth Moving) - 8 CCR 3664	AT		X		X	X	X			
Lockout Tagout - 8 CCR 3314 & 2320	AO,I,W				X	X	X			
Pesticide Handler - 3 CCR Division 6	AT, W		X							
Respiratory Protection - 8 CCR 5144	AO,AT,I,W		X		X	X	X	X		
Accident Investigation - 8 CCR 3203	J									X
Back Safety - 8 CCR 3203	J	X	X	X	X	X	X	X	X	X
Defensive Driver Safety - 8 CCR 3203	J	X	X	X	X	X	X	X	X	X
Electrical Safety - High Voltage - 8 CCR 2700-2989	I				X	X				
Electrical Safety - Low Voltage - 8 CCR 2299-2599	I				X	X				
Elevating Work Platforms (Aerial Lift/Boom Lift) - 8 CCR 3638 & 3648	I		X							
Emergency Action Plan - 8 CCR 3220	I,W	X	X	X	X	X	X	X	X	X
Ergonomics - 8 CCR 5110	J	X								
Fall Protection - 8 CCR 1669 - 1678, 3210	I,W		X		X	X	X			
Forklift & Powered Industrial Trucks - 8 CCR 3668	I,C				X	X	X			
Hazard Communication GHS - 8 CCR 5194	I, W		X		X	X	X	X		
Heat Illness Prevention - 8 CCR 3395	I, W	X	X	X	X	X	X	X	X	X
Hot Work - 8 CCR 4848	I, W				X	X	X			
Injury & Illness Prevention Program - 8 CCR 3203	W	X	X	X	X	X	X	X	X	X
Machine Tool Safety - 8 CCR 3203	I				X	X	X			
Personal Protective Equipment - 8 CCR 3380-3385	I, W		X	X	X	X	X	X		
Poison Oak & Bug Bites - 8 CCR 3203	I		X	X	X	X	X		X	
Portable Ladder Safety - 8 CCR 3276	I		X	X	X	X	X			
Power Lawn Mowers - 8 CCR 3563	I		X							
Safety for the Veteran Employee - 8 CCR 3203	J		X	X	X	X	X	X		X
Safety Responsibilities for Supervisors - 8 CCR 3203	J									X
Traffic Control and Flagger Safety - 8 CCR 1598 & 1599	I									
Workplace Violence - 8 CCR 3203	J	X	X	X	X	X	X	X	X	X

*Supervisors are to also attend the trainings that are required of their direct reports.

AT = Annual Training Required
AO = Annual Other Required

B = Two Year Certificate
C = Three Year Certificate

I = Initial as needed J = As needed
Agenda Item 10

**ATTACHMENT C
DRAFT PLAN OF ACTION**

Town of Discovery Bay CSD

2014-15 Environmental Health & Safety Plan of Action

~20 hrs/mo.

Rev. 04.16.14

Date	Activity
May '14	
TBA	Conduct site safety inspections of the locations not inspected during the course of this safety assessment (e.g. well sites).
TBA	Update Injury and Illness Prevention Program
TBA	Develop Codes of Safe Practices/SOP for Hazardous Equipment
TBA	Conduct Forklift Certification Training
TBA	Conduct Injury & Illness Prevention Program Training
TBA	Develop Confined Space Entry Policy
TBA	Conduct Confined Space Hazard Assessments
TBA	Conduct First Aid/CPR/AED training
June '14	
TBA	Update Heat Illness Prevention Program
TBA	Conduct Confined Space Awareness Training
TBA	Conduct Noise Monitoring
TBA	Conduct Back Safety
TBA	Conduct Ergonomic Training
July '14	
TBA	Update Hazard Communication Program to GHS Standards
TBA	Conduct Heat Illness, Bug Bite, & Poisonous Plant Training
TBA	Develop Hearing Conservation Program & Matrix
TBA	Conduct Lawn Mower Safety Training
August '14	
TBA	Conduct Hazard Communication Training
TBA	Develop Respiratory Protection Program
TBA	Provide Medical Surveillance for Respiratory Users
TBA	Conduct Fall Protection Assessments
TBA	Conduct Lane Closure Training
September '14	
TBA	Develop Fall Protection Program
TBA	Conduct Respiratory Protection Training
TBA	Conduct Respiratory Protection Fit-testing
TBA	Develop Electrical Safety, Lockout/tagout Program & Equipment-Specific Procedures
TBA	Conduct First Aid/CPR/AED training
October '14	
TBA	Conduct Semi-Annual Site Inspections of Hazard Areas Identified in the IIPP
TBA	Conduct Hearing Conservation Training & Hearing Tests (Van)

TBA	Conduct Lockout/tagout & Electrical Safety Training
TBA	Develop Personal Protective Equipment Policy & Matrix
TBA	Conduct Fall Protection & Ladder Safety Training
November '14	
TBA	Conduct Personal Protective Equipment Training
TBA	Conduct Machine Tool Training
TBA	Develop Hot Work Program
December '14	
TBA	Conduct Hot Work Training
TBA	Develop Bloodborne Pathogen Program
TBA	Begin Development of Emergency Action Plan
TBA	Conduct Driver Safety Training
Jan '15	
TBA	Complete Emergency Action Plan Development
TBA	Develop Workplace Violence Policy
TBA	Conduct Bloodborne Pathogen Training
TBA	Conduct Excavation Competent Person Training
TBA	Conduct First Aid/CPR/AED training
Feb '15	
TBA	Conduct Emergency Action Plan Training
TBA	Conduct Fire Extinguisher Training
TBA	Prepare & Post Log 300
TBA	Review Recordkeeping System
March '15	
TBA	Update Chemical Inventory and MSDS' to SDS'
TBA	Conduct Workplace Violence Training
TBA	Conduct Annual Evacuation Drill
TBA	Conduct First Aid/CPR/AED training
TBA	Develop Safety Plan of Action for the Remainder of 2015



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

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MONTHLY OPERATIONS REPORT

June 2014

Town of Discovery Bay, CA

1766 Days of Safe Operations

77,848 worked hours since last recordable incident

TRAINING:

Safety, Operations, & Equipment

Safety	Hours
Monthly Training consists of: Take 5 Safety Tailgates (12) West Region Safety Council Call Monthly Regional Safety Webinar Seat Belts Working w/Stress	3.0
Operations	
None	

REPORTS SUBMITTED TO REGULATORY AGENCIES

Monthly Discharge Monitoring Report (DMR) Monthly electronic State Monitoring Report (eSMR) Monthly Coliform Report, California Department of Public Health (CDPH)
--

WATER SERVICES

# of Active Wells	Water Produced (MG)	Chemical (Hypo) Delivered	Fire Hydrant Flushing
5	135.2	7050	0

Note: Well 4 in lead and Well 5 in lag to offset specific conductivity



2014 Water Production Table (MG) by Month

January	February	March	April	May	June
69.3	61.1	68.3	92.98	128.2	135.2
July	August	September	October	November	December

Bacteriological Test Results:

Routine Bacteria Samples Collected	No. Total Coliform Positives	No. Fecal/E. coli Positives	Brown Water Calls
16	0	0	0

WASTEWATER SERVICE

Wastewater Laboratory Analysis

<i>WW Effluent Parameter</i>	<i>Permit Limits</i>	<i>May Lab Data</i>	<i>June Lab Data</i>
Flow, MG Effluent, monthly total		41.2	40.2
Flow, MG Daily Influent Flow, avg.	N/A	1.26	1.23
Flow, MG Daily Discharge Flow, avg.	2.1	1.33	1.34
Effluent BOD ₅ , lbs/d, monthly avg.	350	26.0	20.1
Effluent TSS, lbs/d, monthly avg.	525	37.0	29.9
Effluent BOD ₅ , mg/L, monthly avg.	20	2.0	1.8
Effluent TSS, mg/L, monthly avg.	30	3.2	2.6
Total Coli form 7 day Median Max	23	4	3
Total Coli form Daily Maximum	240	23	17
% Removal BOD ₅ , monthly avg.	85% min.	99	99
% Removal, TSS, monthly avg.	85% min.	98	98
Electrical Conductivity, umhos/cm annual avg.	2100	2158(YTD)	2154 (YTD)

Red – new parameter added

National Pollution Discharge Elimination System (NPDES)

<u>NPDES Related Excursions</u>	<u>Permit Parameter</u>	<u>NPDES Parameter Limit</u>	<u>Actual Parameter Result</u>
<u>1</u>	<u>SSO</u>	<u>0</u>	<u>50gal treated water</u>

Bacteriological Test Results:

<u>Routine Bacteria Samples Collected</u>	<u>No. Total Coliform Positives</u>	<u>No. Fecal/E. coli Positives</u>	<u>7-Day Median Excursion</u>
<u>8</u>	<u>0</u>	<u>0</u>	<u>0</u>

<u># of Active Lift Stations</u>	<u># of Inactive Lift Stations</u>	<u>Chemical Usage Polymer-gals</u>	<u>SSO</u>	<u>Wastewater Received (MG)</u>
15	0	121.3	1	37.9

COLLECTION:

- Flushed 0 ft. of sanitary sewer lines, YTD 0 ft. **0%** completed
- CCTV 0 ft. **0%** completed (Deadline is May 2015)
- Inspected 0 manhole & covers. 0 YTD
- Performed valve exercising
- Performed weekly lift station inspections.
- Rehab upgrade to L/S “F” started.

MAINTENANCE:

Wastewater

- Rebuild RAS Pump #3 plant #2
- Preformed quarterly air compressor inspection
- Resealed UV channel
- Programed effluent sampler to flow pace
- Installed decant pump
- Preformed routine check on UV module
- Troubleshoot A/C in MCC room plant #2
- Order part to repair belt press #1
- Check VFD over temp issue.

Water

- Installed temp quill at Newport WP
- Troubleshoot Well #5 auto shut down
- Replaced dead battery in UPC unit.
- Troubleshoot programming issues at Newport WP
- Troubleshoot high pressure on hypo line
- Regulated pressure settings at both water plants

Preventive and Corrective

Total # of WO's Completed	Total Hours
265	92.1

Work Order Back-Log

Aging 8 - 30 Days	Aging > 30 Days
40	11

Call & Emergency Responses

Call Outs	Emergencies
19	0

Personnel Hours & Overtime:

Regular Hours	Overtime
1389	91.75

TERMS

WWTP	WASTEWATER TREATMENT PLANT
WTP	WATER TREATMENT PLANT
WL	WILLOW LAKE
NP	NEWPORT
VFD	VARIABLE FREQUENCY DRIVE
WO	WORK ORDER
PLC	PROGRAMMABLE LOGIC CONTROLLER
L/S	LIFT STATION
SSO	SANITARY SEWER OVERFLOW
BOD	BIOLOGICAL OXYGEN DEMAND
TSS	TOTAL SUSPENDED SOLIDS
MGD	MILLION GALLONS PER DAY
mg/l	MILLIGRAMS PER LITRE
CCTV	CLOSED CIRCUIT TELEVISION
PPM	PARTS PER MILLION
RAS	RETURN ACTIVATED SLUDGE
WAS	WATSE ACTIVATED SLUDGE
UV	ULTRAVIOLET LIGHT



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



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Town of Discovery Bay

"A Community Services District"

AGENDA REPORT

Meeting Date

July 16, 2014

Prepared By: Rick Howard, General Manager

Submitted By: Rick Howard, General Manager *RH*

Agenda Title

State Water Resources Control Board Proposed Emergency Water Conservation Regulations

Recommended Action

As Necessary

Executive Summary

On January 17, 2014, Governor Brown issued a Drought Emergency Proclamation following three critically dry years in California. On April 25th, the Governor called on every city, every community, every Californian to conserve water in every possible way. In response to the Governor's call to conserve water, on June 4, 2014, the Town of Discovery Bay (TODB) Board of Directors implemented a Voluntary 20% water reduction directive with the adoption of Resolution No. 2014-11.

On July 9, 2014, staff received notice that the State Water Resources Control Board (Water Board) will be considering temporary emergency drought measures at their July 15 meeting. The proposed measures, if implemented, will affect every Californian, including the Town of Discovery Bay.

The proposed drought emergency rulemaking would include a prohibition on certain classes of water use, an order for all urban water suppliers to implement mandatory conservation measures, and an order for water suppliers with 3,000 or more service connections to provide monthly data on water production.

To reduce water demand, the regulations would require urban water suppliers to implement Water Shortage Contingency Plans at a level that triggers mandatory restrictions on outdoor water use (those with more than 3,000 water connections).

Urban water suppliers that violate mandatory actions could be subject to cease and desist orders for violating emergency regulations with fines up to \$10,000 per day per violation. Or, the matter could be referred to the Attorney General's office for further action.

The attached Fact Sheet was distributed by the Water Board to provide additional information on the types of restrictions and methods of enforcement.

As more information evolves staff will keep the Board informed on those actions.

Fiscal Impact:

Amount Requested \$ N/A

Sufficient Budgeted Funds Available?: (If no, see attached fiscal analysis)

Prog/Fund # Category: Pers. Optg. Cap. -or- CIP# Fund#

Previous Relevant Board Actions for This Item

June 4, 2014 – Implementation of Voluntary 20% Water Reduction Directive

Attachments

State Water Board Proposed Emergency Water Conservation Regulations Fact Sheet

AGENDA ITEM: K-1



Fact Sheet

The State Water Board to Consider Proposed Emergency Water Conservation Regulations

On January 17 Governor Edmund G. Brown Jr. issued a drought emergency proclamation following three dry or critically dry years in California. [Extreme drought now covers nearly 80 percent of the state](#) and these conditions will likely continue into the foreseeable future.

More than, 400,000 acres of farmland are expected to be fallowed, thousands of people may be out of work, communities risk running out of drinking water and fish and wildlife species are in jeopardy. Many communities are down to 50 gallons a day or less per person for basic sanitation needs. With our inability to predict the effect of the next rainy season, water saved today can improve a region's water security and add flexibility to systems that may need to withstand another year or more with precipitation below average.

There are many ways to boost local water supplies such as recycling treated wastewater and reusing some household or industrial water onsite. However, conservation is the easiest, most efficient and most cost effective way to quickly reduce water demand and extend supplies into the next year, providing flexibility for all California communities. In a survey conducted by the State Water Board in June, while many communities have significantly reduced their water demand over time, it is clear that more can be done.

Conservation Actions Needed

Because of these dire conditions and the need to conserve more, the State Water Resources Control Board (State Water Board) is proposing that individuals and water agencies take necessary steps to conserve water supplies both for this year and into 2015, and is recommending that individuals and water agencies do even more voluntarily to manage our precious water resources.

Most Californians use more water outdoors than indoors. In some areas, 50 percent or more of our daily water use is for lawns and outdoor landscaping. Some urban communities have been investing in conservation, particularly indoors, for years, but reducing the amount of water used outdoors can make the biggest difference of all.



The proposed emergency conservation regulations are primarily directed at reducing outdoor urban water use.

These emergency conservation measures target both individual water use, by identifying the practices from which every Californian should abstain during this drought emergency, as well as the steps that local water suppliers should be taking to reduce water demand in their service areas. These restrictions set a minimum level of effort in this time of emergency and everyone should do more voluntarily. As the drought wears on, the State Water Board may revisit these regulations and consider other measures.

Temporary Water Restrictions

All Californians will be affected by the ongoing drought conditions in one form or another, especially if these conditions persist or worsen in 2015. To promote water conservation statewide, the emergency regulations would prohibit each of the following, except in case of health or safety needs or to comply with a term or condition in a permit issued by a state or federal agency:

- The direct application of water to any hard surface for washing.
- Watering of outdoor landscapes that cause runoff to adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots or structures.
- Using a hose to wash an automobile, unless the hose is fitted with a shut-off nozzle.
- Using potable water in a fountain or decorative water feature, unless the water is recirculated.

Violations of prohibited activities are considered infractions and are punishable by fines of \$500 for each day in which the violation occurs. Any employee of a public agency charged with enforcing laws may write and issue a ticket to the violator.

Action by Urban Water Suppliers Required

To reduce water demand, the regulations would require urban water suppliers to implement their Water Shortage Contingency Plans at a level that triggers mandatory restrictions on outdoor water use. Almost all urban water suppliers (those with more than 3,000 water connections) have these plans; about 40 of these larger agencies do not.

If an urban water supplier does not have a Water Shortage Contingency Plan or its Plan does not meet the requirements of the water code, the supplier must, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Water suppliers serving fewer than 3,000 connections must also, within 30 days, require customers to limit outdoor irrigation to no more than two days per week or implement another mandatory conservation measure to achieve a comparable reduction in water consumption by the people it serves relative to the amount consumed in 2013.

Urban water suppliers that violate mandatory actions could be subject to cease and desist orders for violating emergency regulations with fines up to \$10,000 per day per violation. Or, the matter could be referred to the Attorney General's office for further action.

Keeping Track of Urban Water Use

Each urban water supplier will keep track of its water use and compare it to the same period last year. Reports that include the amount of potable water the supplier produced in the preceding month and an estimate of gallons of water per person per day used by its customers will be submitted to the State Water Board by the 15th of each month.

Looking Forward

The State Water Board is providing the following tips to water suppliers to educate their customers about the new requirements:

- Retail water suppliers should provide notice of the regulations in English and Spanish in one or more of the following ways: newspaper advertisements, bill inserts, website homepage, social media, notices in public libraries;
- Wholesale suppliers should include reference to the regulations in all of their customer communications;
- All water suppliers should provide signage where recycled or reclaimed water is being used for activities that the emergency regulations prohibit with the use of potable water, such as operation of fountains and other water features;
- All water suppliers should train personnel on the regulations; and
- All water suppliers should set conservation targets, measure their service area's progress and make this information available to their customers.

In addition to letting customers know about the new requirements, water suppliers should also:

- Have an easy way for customers to report leaks and water waste via phone or electronic submittal (website form, or email); and
- Request that police and fire departments and other local government personnel report leaks and water waste they encounter during their routine duties/patrols

If drought conditions continue, additional actions by the State Water Board and local water suppliers will likely be necessary to further increase conservation. All water suppliers are encouraged to be prepared and plan for a possible dry 2015 now.

Next Steps

The proposed emergency regulations will be considered by the State Water Board at its July 15th meeting. Written comments are due by 12 noon on July 14, 2014. Send comments to Jeanine Townsend, Clerk to the State Water Board, by email at commentletters@waterboards.ca.gov (**must be no more than 15 megabytes**); fax at (916) 341-5620; or mail or hand delivery to:

Jeanine Townsend, Clerk to the Board,
State Water Resources Control Board
P.O. Box 100, Sacramento, CA 95812-2000 (mail)
1001 I Street, 24th Floor, Sacramento, CA 95814 (hand delivery)

Please also indicate in the subject line, “**Comment Letter— July 15, 2014 Board Meeting-Item 10: Emergency Water Conservation Regulations**”. If adopted and subsequently approved by the Office of Administrative Law, they would go into effect on or about August 1st.



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

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TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



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FINAL



**CONTRA COSTA COUNTY
AVIATION ADVISORY COMMITTEE
MINUTES OF MEETING
April 10, 2014**

MEETING CALLED: Chair Mike Bruno called the meeting to order at 10:03 am at the Director of Airport's Office.

PRESENT: **Rudi Raab, District I**
Mike Bruno, Chair, CCC Airports Business Association
DeWitt Hodge, Member at Large
Derek Mims, City of Pleasant Hill
Rich Spatz, At Large 2
Tom Weber, Vice Chair, District IV
Ed Young, Secretary, At-Large 1
Keith McMahon, City of Concord
Ronald Reagan, District III
Russell Roe, District V

ABSENT: **Janet Kaiser, Diablo Valley College**

STAFF: Keith Freitas, Director of Airports
Elizabeth Catlin, Airport Staff

**OPENING COMMENTS
BY CHAIR:** None

**PUBLIC COMMENT
PERIOD:** None

**APPROVAL OF
MINUTES:** **Moved by Tom Weber; seconded by DeWitt Hodge. Approved unanimously. Yes: Rudi Raab, Mike Bruno, DeWitt Hodge, Derek Mims, Tom Weber, Ed Young, Ronald Reagan and Russell Roe. No: None. Abstained: Keith McMahon. Absent: Janet Kaiser**

**APPROVAL OF
CONSENT ITEMS:** **Noise Statistics pulled for discussion. Remaining consent items approved. Moved by Rudi Raab; seconded by Tom Weber, approved unanimously. Yes: Rudi Raab, Mike Bruno, DeWitt Hodge, Derek Mims, Tom Weber, Keith McMahon, Ronald Reagan, Russell Roe and Ed Young. No: None. Abstained: None. Absent: Janet Kaiser.**

PRESENTATION/SPECIAL REPORTS – Draft New Airport Marketing Video:

Keith Freitas reported this is the first time showing the new draft Airport Marketing Video. The video is to help generate some energy; promote awareness; generate pilot interest; educate our community; developers and grab a viewer's attention about both Buchanan Field and Byron Airport. Airport staff is looking for ideas, feedback, and comments.

Comments included:

- One of the first items mentioned was that the Airports are self-funded. There should be more included on that as it is an important aspect of both Buchanan Field and Byron Airports.
- More emphasis that the Airports contribute dollars to the community, local economy and that Byron Airport is our next opportunity to further service the community. Great start on video.
- Should give an overview of each Buchanan Field Airport and Byron Airport.
- Show how people can fly here to the East Bay Area and land at Buchanan Field Airport instead of Oakland because it is closer.
- Videos should address each kind of different activity that occurs at each of the Airports.
- Good job on video, its easy flow catches your interest.
- Should spend less time focusing on the jets.
- Show more of the different kinds of aircraft that are at the airports.
- Should show more of the public at the Airports; like the kids in the public viewing plaza and more of other activities that take place here.
- Like to see the young female pilot stating, "hey, if I can do this anyone can do this," which shows that average people use the airports.
- Please cut out the jargon and find a different word other than Fixed Based Operators (FBO) which was mentioned more than once as not everyone knows what FBO means.
- At the end of the video to add the URL with information to keep coming back as more videos will be added. Give them a reason that more videos will be added.

DISCUSSION/ACTION ITEMS:

a. Items Pulled from Consent

Noise Statistics pulled for discussion.

- Keith Freitas reported due to nice weather, more and more pilots are flying which will result in an increase in noise complaints.
- Derek Mims commented that in Pleasant Hill, last year there were no complaints by the end of March and this year for the same time period there are already four to five.
- Tom Weber commented that two complaints were generated from one caller.
 - Both Airport staff and Tom had spoken with the complainant in length.
- Keith Freitas commented that the air traffic personnel will encourage use of the smaller runway for training so as to keep the planes from making a right turn over Pleasant Hill. When more pilots are performing training the heavier traffic is divided between the two runways, which then generates more noise complaints.

b. Officer Elections

Mike Bruno asked for nominations.

Ronald Reagan moved to keep the same officers: Mike Bruno as Chair, Tom Weber as Vice Chair and Ed Young as Secretary. Seconded by Tom Weber. Approved unanimously. Yes: Rudy Raab, Mike Bruno, DeWitt Hodge, Derek Mims, Tom Weber, Keith McMahon, Ronald Reagan, Russell Roe and Ed Young. No: None. Abstained: None. Absent: Janet Kaiser

c. Airport Rates and Charges

Keith Freitas stated that this will be coming up in the next several months. The Airport Enterprise Fund; rates and charges that are set by the Board of Supervisors they consist of tie down rates, hangar rents and overnight parking fees.

The subject of allowing tenants to switch from one hangar to a different hangar due to it being in a preferred location was brought up. It was questioned whether different fees could be charged for specific hangars and if it could be incorporated and addressed in the Airport Rates and Charges.

- Keith Freitas responded that it could be considered in the rates and charges.
 - The challenge is tenants would then be tying up two hangars, one that is rented and the other that is being vacated.
 - A survey was taken to see if tenants would be willing to pay for both hangars during their move; the majority tenant response was “no”.

d. Economic Development Working Group

Keith Freitas said Airport staff is looking for two (2) to three (3) AAC members to participate in a larger working group that will assist Airport staff in coming up with marketing incentives and other ideas.

- It was suggested that the three members from the AAC should be a pilot, a tenant and a business owner.
 - Mike Bruno, Ronald Reagan and Russell Roe were nominated.
- It was suggested that the group members report back to the AAC at each meeting.

Ronald Reagan questioned whether there was any ongoing conversation regarding an Fixed Base Operator (FBO) or someone taking over the fueling at Bryon Airport.

- Keith Freitas responded that Airport staff had solicited but the biggest obstacle would be the cost to build a facility and then start a new business.
 - One of the responses to the solicitation was for just fuel and the business wanted a fifty year lease.
 - Airport staff has a consultant looking at costs for building a structure to house an FBO.

Tom Weber commented that the two things that have to be in place to grow the Bryon Airport are access roads and the County General Plan Amendment.

- A suggestion was made for the members who represent the Supervisors go to their Supervisors and promote the importance of the Byron Airport in order to have the County General Plan Amendment process moved forward.
 - Mike Bruno suggested agendizing the General Plan Amendment as a start and then maybe make a recommendation to the Supervisors that they make the General Plan Amendment a high priority.

- Derek Mims responded that the AAC should draft a letter to the Board of Supervisors for review at the next meeting. He also suggested for Tom Weber and Ronald Reagan to draft some bullet points for the members to discuss with the Supervisors.

e. Tenant BBQ May 1, 2014

Mike Bruno gave a brief recap that Airport Staff had requested volunteers from the AAC to help with the BBQ, from 11:00 am – 2:00 pm

- Russell Roe, Tom Weber, Derek Mims and DeWitt Hodge volunteered.
- Keith Freitas stated everyone should have received an Evite and asked for everyone to please respond.

UPDATES/ANNOUNCEMENTS

a. Airport Committee Update

None

b. What is happening at Buchanan Field & Byron Airports/Other Airports

None

c. Update from Airport Business Association

Mike Bruno reported that Sterling is busy and hopes it does not slow down.

Russell Roe questioned if Mike Bruno was still involved with APEX hangars.

- Mike Bruno responded that he was.
- Keith Freitas commented that the bank is still paying monthly rent to the Airport.

d. Airport Land Use Commission (ALUC) Update

None

e. AAC Announcements

Tom Weber reported the District II representative seat is still vacant. District II staff is still interviewing.

f. Airport Staff Announcements

Airport Tenant Appreciation BBQ - May 1, 2014

FUTURE AGENDA ITEMS

- Airport Marketing Video

ADJOURNMENT: The meeting was adjourned by the Chair at 11:18 a.m.



EAST CONTRA COSTA FIRE PROTECTION DISTRICT

Meeting Minutes

Board of Directors Regular Meeting

Monday June 2, 2014 – 6:30 P.M.

Meeting Location: 3231 Main Street, Oakley

BOARD OF DIRECTORS

Kevin Bouillon
Greg Cooper
Robert Kenny

Joel Bryant-President
Ronald Johansen-Vice President
Jonathan Michaelson

Cheryl Morgan
Stephen Smith
Joe Young

CALL TO ORDER (6:34 P.M.)

PLEDGE OF ALLEGIANCE (6:34 P.M.)

ROLL CALL (6:33 P.M.)

Directors Present: Bouillon, Bryant, Cooper, Kenny, Morgan, Smith, Young
Directors Absent: Johansen, Michaelson

PUBLIC COMMENTS (6:35 P.M.)

There were no Public Speakers

CONSENT CALENDAR (6:35 P.M.)

- C.1** Approve minutes from May 5, 2014 Regular Board of Directors Meeting
- C.2** Approve a Professional Services Agreement with City of Brentwood for Information Technology Services for FY 2014-15
- C.3** Approve a Contract with Hanson Bridgett LLP to provide General Counsel for FY 2014-15
- C.4** Adopt Appropriation Limits through Fiscal Year 2014-15

Motion by: Director Cooper to approve Consent Calendar Item C.1, C.2, C.3 & C.4

Second by: Director Young

Vote: Motion carried: 7:0

Ayes: Bouillon, Bryant, Cooper, Kenny, Morgan, Smith, Young

Absent: Johansen, Michaelson

DISCUSSION ITEMS

D.1 Adopt Preliminary Operating, Other Budgets for Fiscal Year 2014-15 (6:36 P.M.)

There was one (1) Public Speaker – Mark Whitlock

Motion by: Director Young to Adopt Preliminary Operating, Other Budgets for Fiscal Year 2014-15

Second by: Director Bouillon

Vote: Motion carried: 7:0

Ayes: Bouillon, Bryant, Cooper, Kenny, Morgan, Smith, Young

Absent: Johansen, Michaelson

D. 2 Introduce Ordinance Adopting Modified 2013 California Fire Code and Schedule Public Hearing (6:54 P.M.)

There were no Public Speakers

Motion by: Director Young to waive the first reading of 2013 California Fire Code and Schedule a Public Hearing for July 7, 2014

Second by: Director Smith

Vote: Motion carried: 7:0

Ayes: Bouillon, Bryant, Cooper, Kenny, Morgan, Smith, Young

Absent: Johansen, Michaelson

D. 3 Receive Update on Community Outreach Schedule and Consider Conducting Polling for Benefit Assessment Ballot Language (7:02 P.M.)

There was one (1) Public Speaker – Alex Ariferis

Motion by: Director Smith to move with conducting polling for benefit assessment.

Second by: Director Cooper

Vote: Motion carried: 5:2

Ayes: Bouillon, Bryant, Cooper, Kenny, Smith

Noes: Morgan, Young

Absent: Johansen, Michaelson

INFORMATIONAL STAFF REPORTS (7:28 P.M.)

1 Receive Operational Update for May, 2014

There was one (1) Public Speaker – Vince Wells

DIRECTORS' COMMENTS (7:39 P.M.)

Director Smith - Commented on vegetation fire call that he went on with Chief Henderson and the conditions of the roads and the difficulties in driving code 3.

Director Bryant – Asked for Gil Guerrero to give an update on the Fill the Boot fundraiser. Mr. Guerrero reported that \$13,450.00 was raised in one day in Oakley and that there is another day scheduled for June 13, 2014 on the corners of Balfour Road & Fairview Ave.

Directed Bryant – Thanked Local 1230 for the super effort they put in everyday for keeping us all safe.

Director Kenny – Thanked Mark Rezac & Jim Mathers for all the help with the May 17, 2014 Meals on Wheel Golf Tournament and Station 94 for coming out to start off the tournament.

Director Cooper – Thanked all the firefighters out in this district.

INFORMATIONAL REPORTS AND REQUESTS FOR FUTURE AGENDA ITEMS FROM BOARD MEMBERS (7:39 P.M.)

Director Cooper would like to start discussing staffing levels / potential work on closure of stations in July due to staff leaving.

ADJOURN TO CLOSED SESSION ON THE FOLLOWING MATTERS: (7:46 P.M.)

1. Conference With Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d) (1): Contra Costa County Deputy Sheriff's Association, et al v. Contra Costa County Employees Retirement Association, et al, Contra Costa Sup. Ct. No. N12-1870
2. Public Employee Performance Evaluation (Establish Performance Goals for Fiscal Year 2014-15) Pursuant to Government Code Sections 54957(b)(1): Fire Chief

REPORT ON THE CLOSED SESSIONS (8:47 P.M.)

Report from closed session: Item 1 – No action to report

Report from closed session: Item 2 – No action to report

ADJOURN TO THE NEXT REGULAR BOARD MEETING SCHEDULED: July 7, 2014 (8:47 P.M.)

DRAFT



**CONTRA COSTA COUNTY
AVIATION ADVISORY COMMITTEE
MINUTES OF MEETING
June 12, 2014**

MEETING CALLED: Chair Mike Bruno called the meeting to order at 10:03 am at the Director of Airport's Office.

PRESENT: **Roger Bass, District II**
Mike Bruno, Chair, CCC Airports Business Association
DeWitt Hodge, Member at Large
Keith McMahon, City of Concord
Rudi Raab, District I
Ronald Reagan, District III
Russell Roe, District V
Tom Weber, Vice Chair, District IV
Ed Young, Secretary, At-Large 1

ABSENT: **Derek Mims, City of Pleasant Hill**
Janet Kaiser, Diablo Valley College

STAFF: **Keith Freitas, Director of Airports**
Beth Lee, Assistant Director of Airports

**OPENING COMMENTS
BY CHAIR:** None

**PUBLIC COMMENT
PERIOD:** Duane Allen thanked staff for the new Airport striping as it makes it easy to see at night and asked to have correction made to Draft Minutes (add the word "majority" for clarification as he had offered to pay for both hangars when considering changing hangars).

**APPROVAL OF
MINUTES:** **Moved by Rudi Raab; seconded by Russell Roe. Approved unanimously with the above correction/clarification. Yes: Roger Bass, Mike Bruno, DeWitt Hodge, Keith McMahon, Rudi Raab, Ronald Reagan, Russell Roe, Tom Weber, and Ed Young. No: None. Abstained: None. Absent: Janet Kaiser, Derek Mims.**

**APPROVAL OF
CONSENT ITEMS:** **Moved by Ronald Reagan; seconded by Tom Weber, approved unanimously. Yes: Roger Bass, Mike Bruno, DeWitt Hodge, Keith McMahon, Ronald Reagan, Russell Roe, Rudi**

**Raab, Tom Weber and Ed Young. No: None. Abstained: None.
Absent: Janet Kaiser, Derek Mims.**

PRESENTATION/SPECIAL REPORTS – Byron General Plan Amendment (Patrick Roche, Department of Conservation and Development):

- Gave overview of why we are doing this, the process, environmental review and planning process.
- AAC first to preview to get initial comments and thoughts before going forward in the process.
- Funded by the Mariposa Community Benefit Fund
- The underlying land use is agricultural and not consistent with uses defined in the adopted Master Plan.
- Want to be more thorough and have land use designations that are consistent with Master Plan to support full build out.
- Change General Plan and zoning and get better guidance.
 - Impacts were noted but there was no discussion of the benefits or improvements to the community.
 - a. Patrick commented that the General Plan Amendment was to speak only to on airport land uses and not surrounding land uses.
 - i. Airport sits within the urban limit line; surrounding area is outside.
 - ii. Dilemma is if you extend urban services (water, power, etc.) then you have to go over land not designated for urban use.
 - iii. Very complicated issue and current focus is on the area within urban limit line.
 - iv. It will need to go to the Board of Supervisors for final approval.
 - v. Must also conform to requirements of state zoning and environmental progress.
 - vi. Uses identified would be permitted by right without needing additional planning permits and approvals.
 - vii. Anything not specifically included would not be allowed without amending the zoning code.
 - It was questioned why the P1 designation does not get the Airport fully what it needs?
 - a. When the Airport was built the General Plan was not changed and that is necessary to implement the Master Plan.
 - b. Not every possibility can be anticipated and need to create the most flexible tool for the future non-aeronautical uses.
 - c. Concept is to use the FAA definition of aeronautical uses and have pivot points (like road network improvements).
 - Concern was expressed that we do not have an airport out there that can serve the broader, high growth community.
 - a. What is being proposed does not mention road connections necessary (like Vasco to Armstrong) which would help facilitate business growth.
 - b. Wants to set stage now in this process rather than waiting 10+ years for Route 239 process to be completed.
 - c. Brentwood's GP was updated and calls for more commercial and industrial uses.
 - Comment was made that infrastructure (access, water and sewer) needs to be updated and need to make the development process attractive or it will not be viable.

- Comment was made that the uses should be as broad as possible so they are the most flexible for the future.
 - a. It should take approx. 6-8 mos. to complete and wants to get the environmental started. There will be two public meetings; the Planning Commission and then the Board of Supervisors for final approval. Input and comments are welcomed as he is not an aviation expert.
- Mike Bruno commented that, as a Buchanan Field business who would like to make changes, the timing and process is a problem. He also noted that the FAA advisory circular is more exclusionary rather than inclusionary and Airport Staff needs flexibility to properly grow the airports.
 - a. Russell Roe commented on timing issues: they have been talking about Armstrong Road extension since the airport was developed. Problem with waiting for Route 239 project completion is the improvements will be too late. They should include as much as possible in this process to create best canvas for future.
- Comment was made that there are many checks and balances in place to ensure compatibility. Problem with delaying inclusion of all compatible uses is that the added timing and cost will kill a future project. The process needs to be conscientious to avoid overburdening development; the more you put on a builder, the less likely the financial institutions will provide the funds necessary and the project will die. This process needs to be more flexible to allow for reasonable and competitive non-aviation uses in a less cumbersome and bureaucratic way.
 - a. Zoning code intrudes uses permitted by right without needing additional planning permits and approvals.
 - b. Keith Freitas responded we have it all now at Buchanan Field Airport; goal is to mirror that approach at the Byron Airport.
- There is a concern if you only look at this as an aviation zone, it should be viewed as an economic zone. There are tremendous opportunities that we may not be able to take advantage of and/or limit the ability to properly grow over time. The FAA does not lead; rather lags and we need a better way to provide future flexibility and allowable uses.
 - a. Keith McMahan commented that he works with a lot of developers and they focus on a business friendly environment and return on investment. We should look at creating an expanded list of allowable compatible non-aeronautical uses so that we have more growth options in the future. He mentioned the example of Portland Airport for broader economic focus; it made a huge difference for their growth.
- It is important to focus on the list of allowable uses to make sure all aviation and compatible, aviation-related uses are included in the zoning code.
 - a. Members all agreed that a restaurant, car parking and rental cars should be permitted.
 - b. Subject is to be on a future agenda to discuss expanding the list of allowable uses.
- A member of the public questioned whether what was in the original Board order, stated potential to look at changes (reduction) of land uses within urban limit line was still part of the project scope?
- Response was no it was not part of current scope and would be more appropriate when urban limit line is reexamined in 2016.

DISCUSSION/ACTION ITEMS:

a. Items Pulled from Consent

None

b. Set Meeting Calendar for June 2014 – May 2015

Mike Bruno suggested keeping meeting schedule the same. The September 2014 meeting conflicts with Airport Committee and will either need to be changed or cancelled. The Aviation Advisory Committee (AAC) agreed to keep the same schedule.

c. Noise Issues

Keith Freitas stated there is good news and bad news. Aviation activity is increasing but that translates into more noise complaints.

- Natalie Olesen commented:
 - There had been a couple of unusual events (Bart derailment in Concord and limb falling onto BART tracks in Concord) causing noise complaints from media helicopters.
 - 10 of the 30 noise complaints were from training operations off Runway 19R.
 - Increase in East County complaints due to aerobatics flying; they want this activity to go away (safety concerns with expanding residential uses).
- Keith MacMahon commented that the numbers are climbing but they are not large in total amounts (percentages are less useful as the actual numbers are so low).
 - Keith Freitas responded that while activity is much lower than in the past people do not remember the past higher activity. The community changes as does their life circumstances.
- Mike Bruno commented education and public outreach may help to lessen some of the issues.
- Aerobatics issue will be added to a future meeting agenda; when held at the Byron Airport.

d. Economic Development Working Group Update

- Mike Bruno, Ronald Reagan and Russell Roe will represent the AAC
- The process will start by inviting participation from larger tenants, hangar tenants and clubs to work with us to create an Economic Development Working Group
- Airport staff is hoping to start the program in the next week or so.

e. FAA Grant Projects

Airport Staff is looking at:

- Buchanan Field Airport
 - Runway 14L/32R – \$3.5 million for overlay and reconstruction
 - Taxiway Echo improvements sign and lighting upgrades - \$1 million to \$1.5 million
 - East Ramp pavement improvements - estimated at \$1.3 million
 - FAA fundable but low priority, for FAA, so may be covered by Airport Enterprise fund.

- Byron Airport
 - Pavement rejuvenation of the airfield pavement (including sign and lights)
 - Runway extension – from 4,500 feet to up to 6,000 feet.
 - There is some FAA support to extend the runway but need to show there is an existing need (not build it and they will come)
- Most project items solicit for a base project bid and included alternates depending on the funding.
- Ed Young questioned if Airport staff has explored having the Department of Forestry at Byron Airport
 - Jet A would be needed to set the stage to attract them.
- DeWitt Hodge questioned whether the extension of the primary runway would have any problems or concerns for the crosswind runway.
 - Extension of crosswind runway is anticipated but lower priority at this time.
- Staff will come back at a later date with a broader list of projects being contemplated.

f. Air Race Classic 2014

Buchanan Field Airport was selected as the starting point for the 38th Annual Air Race Classic.

- Race ends in Harrisburg, Pennsylvania
- 46 planes and about 160 participants and involved parties.
- Full week of activity.

g. AAC Tenant Recognition Program Nominations

AAC received one (1) nomination but requested more

- Tom Weber suggested Patriot Jet Foundation for their education component; the nomination for Reach would need to be a lot stronger to support it.
- Ronald Reagan will recommend Patriot Jet Foundation for consideration.

This item was deferred to next meeting to give additional time to for submitting additional nominees.

UPDATES/ANNOUNCEMENTS

a. Airport Committee Update

None

b. What is happening at Buchanan Field & Byron Airports/Other Airports

- Sign improvements on freeway/roads and the on the west side of Buchanan Field Airport.
- Tenant BBQ was successful – about 320+ attended.

c. Update from Airport Business Association

Mike Bruno reported the economy is improving; businesses are still struggling but business climate is improving

d. Airport Land Use Commission (ALUC) Update

There have been some member changes

- David Durant is no longer on the ALUC
 - Replaced by Vice Mayor, Concord, Ron Leone
- Officers have changed
- At large position solicited
- Airport representative has is going out for solicitation.

e. AAC Announcements

None

f. Airport Staff Announcements

None

FUTURE AGENDA ITEMS

- Byron General Plan Amendment and zoning code – allowable land uses
- Aerobatic issues around Brentwood
- Reactivating Taxiway C for runway use.

ADJOURNMENT: The meeting was adjourned by the Chair at 11:35 a.m.

**Byron
Municipal
Advisory
Council
DRAFT**



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Respectfully submitted by: _____

*The Byron Municipal Advisory Council serves as an advisory body to the
Contra Costa County Board of Supervisors and the County Planning Agency.*

Record of Actions

Meeting start time: 6:03 p.m.

Thursday, June 19, 2014

- 1.) Meeting called to order by Chair Juarez at 6:03p.m. Councilmember Beltran absent.
- 2.) **Public Comment:** Patty Bristow stated her concern with Councilmembers Beltran's attendance record.
- 3.) **Review of Record of Actions of 3-20-14 meeting:** Motion to approve as prepared made by Councilmember Lopez. Second made by Councilmember Larsen. Motion carried 4-0. AYES: Larsen, Lopez, Juarez and Schmit.
- 4.) **Agency Reports**
 - a.) **East Contra Costa Fire Protection District:** May 2014 Operational Report distributed.
 - b.) **Contra Costa County Sheriff's Department:** Anthony Fontenot, Crime Specialist, provided an overview of the Calls for Service for May 2014. Discussed that crime has remained relatively low in the area however stated that crimes of opportunity, i.e. break in of a vehicle with cell phone left on seat are taking place. Discussion regarding concern with noise at the Wild Idol on Friday and Saturday nights after 11:00p.m., reminder to contact the Sheriff's office.
 - c.) **California Highway Patrol:** No Report.
 - d.) **Office of Supervisor Mary N. Piepho:** Field Representative Cornell provided an update on the following items: discussed current open committee seats; applications due by 6/20 for the County appointed seats on the East Contra Costa Fire Protection District; comment period for the Bay Delta Conservation Plan extended from June 13 to July 29th; distributed copies of the 211 East County Resource Guide; distributed copies of the June 24 Planning Commission Agenda and July 9 LAFCO cancellation notice.
- 6.) **Items for Discussion and/or Action**
 - a.) **Discuss 2014 Clean-Up Day- July 12, 2014:** Councilmember Lopez lead on the event. Flyer posted in the post office with notices being sent by the Supervisor's office. Arrangement of volunteer's schedules.
 - b.) **Discuss Byron area Park Dedication Fund:** Field Representative Cornell provided an update on East Bay Regional Park District monies for park and recreation service use with more information to come. She is also working to schedule a meeting with Byron Union School District Superintendent Burnette to discuss possible projects on the Excelsior Middle School Campus.
- 6.) **Correspondence Key: R= Received S= Sent**
 - a. R-6/2/14 Contra Costa Planning Commission for June 2, 2014
 - b. R- 6/5/14 Contra Costa Zoning Administrator Agenda for June 5, 2014
 - c. R- 6/10/14 Contra Costa Planning Commission Cancellation Notice for June 10, 2014
 - d. R- 6/11/14 Local Agency Formation Commission Agenda for June 11, 2014
- 7.) **Councilmember Comment/Future Agenda Item:**
- 8.) Adjourned to next meeting scheduled for July 17, 2014



TOWN OF DISCOVERY BAY
A COMMUNITY SERVICES DISTRICT



President – Mark Simon • Vice-President – Chris Steele • Director – Kevin Graves • Director – Bill Pease • Director – Marianne Wiesen

No Back Up
Documentation
For Agenda Item O



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For Agenda Item P